

FIRST REGULAR SESSION
HOUSE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 543
94TH GENERAL ASSEMBLY

Reported from the Committee on Transportation May 2, 2007 with recommendation that House Committee Substitute for Senate Bill No. 543 Do Pass. Referred to the Committee on Rules pursuant to Rule 25(21)(f).

D. ADAM CRUMBLISS, Chief Clerk

2371L.03C

AN ACT

To repeal sections 301.130, 301.143, and 301.147, RSMo, and to enact in lieu thereof four new sections relating to motor vehicles, with penalty provisions.

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

Section A. Sections 301.130, 301.143, and 301.147, RSMo, are repealed and four new sections enacted in lieu thereof, to be known as sections 301.130, 301.143, 301.147, and 307.357, to read as follows:

301.130. 1. The director of revenue, upon receipt of a proper application for registration, required fees and any other information which may be required by law, shall issue to the applicant a certificate of registration in such manner and form as the director of revenue may prescribe and a set of license plates, or other evidence of registration, as provided by this section. Each set of license plates shall bear the name or abbreviated name of this state, the words "SHOW-ME STATE", the month and year in which the registration shall expire, and an arrangement of numbers or letters, or both, as shall be assigned from year to year by the director of revenue. The plates shall also contain fully reflective material with a common color scheme and design for each type of license plate issued pursuant to this chapter. The plates shall be clearly visible at night, and shall be aesthetically attractive. Special plates for qualified disabled veterans will have the "DISABLED VETERAN" wording on the license plates in preference to the words "SHOW-ME STATE" and special plates for members of the national guard will have the "NATIONAL GUARD" wording in preference to the words "SHOW-ME STATE".

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.

14 2. The arrangement of letters and numbers of license plates shall be uniform throughout
15 each classification of registration. The director may provide for the arrangement of the numbers
16 in groups or otherwise, and for other distinguishing marks on the plates.

17 3. All property-carrying commercial motor vehicles to be registered at a gross weight in
18 excess of twelve thousand pounds, all passenger-carrying commercial motor vehicles, local
19 transit buses, school buses, trailers, semitrailers, motorcycles, motortricycles, motorscooters and
20 driveaway vehicles shall be registered with the director of revenue as provided for in subsection
21 3 of section 301.030, or with the state highways and transportation commission as otherwise
22 provided in this chapter, but only one license plate shall be issued for each such vehicle except
23 as provided in this subsection. The applicant for registration of any property-carrying
24 commercial motor vehicle may request and be issued two license plates for such vehicle, and if
25 such plates are issued the director of revenue may assess and collect an additional charge from
26 the applicant in an amount not to exceed the fee prescribed for personalized license plates in
27 subsection 1 of section 301.144.

28 4. The plates issued to manufacturers and dealers shall bear the [letter "D" preceding the
29 number] **letters and numbers as prescribed by section 301.560**, and the director may place
30 upon the plates other letters or marks to distinguish commercial motor vehicles and trailers and
31 other types of motor vehicles.

32 5. No motor vehicle or trailer shall be operated on any highway of this state unless it
33 shall have displayed thereon the license plate or set of license plates issued by the director of
34 revenue or the state highways and transportation commission and authorized by section 301.140.
35 Each such plate shall be securely fastened to the motor vehicle in a manner so that all parts
36 thereof shall be plainly visible and reasonably clean so that the reflective qualities thereof are not
37 impaired. **Each such plate may be encased in a transparent cover so long as the plate is**
38 **plainly visible and its reflective qualities are not impaired.** License plates shall be fastened
39 to all motor vehicles except trucks, tractors, truck tractors or truck-tractors licensed in excess of
40 twelve thousand pounds on the front and rear of such vehicles not less than eight nor more than
41 forty-eight inches above the ground, with the letters and numbers thereon right side up. The
42 license plates on trailers, motorcycles, motortricycles and motorscooters shall be displayed on
43 the rear of such vehicles, with the letters and numbers thereon right side up. The license plate
44 on buses, other than school buses, and on trucks, tractors, truck tractors or truck-tractors licensed
45 in excess of twelve thousand pounds shall be displayed on the front of such vehicles not less than
46 eight nor more than forty-eight inches above the ground, with the letters and numbers thereon
47 right side up or if two plates are issued for the vehicle pursuant to subsection 3 of this section,
48 displayed in the same manner on the front and rear of such vehicles. The license plate or plates

49 authorized by section 301.140, when properly attached, shall be prima facie evidence that the
50 required fees have been paid.

51 6. (1) The director of revenue shall issue annually or biennially a tab or set of tabs as
52 provided by law as evidence of the annual payment of registration fees and the current
53 registration of a vehicle in lieu of the set of plates. Beginning January 1, 2010, the director may
54 prescribe any additional information recorded on the tab or tabs to ensure that the tab or tabs
55 positively correlate with the license plate or plates issued by the department of revenue for such
56 vehicle. Such tabs shall be produced in each license bureau office.

57 (2) The vehicle owner to whom a tab or set of tabs is issued shall affix and display such
58 tab or tabs in the designated area of the license plate, no more than one per plate.

59 (3) A tab or set of tabs issued by the director of revenue when attached to a vehicle in
60 the prescribed manner shall be prima facie evidence that the registration fee for such vehicle has
61 been paid.

62 (4) Except as otherwise provided in this section, the director of revenue shall issue plates
63 for a period of at least six years.

64 (5) For those commercial motor vehicles and trailers registered pursuant to section
65 301.041, the plate issued by the highways and transportation commission shall be a permanent
66 nonexpiring license plate for which no tabs shall be issued. Nothing in this section shall relieve
67 the owner of any vehicle permanently registered pursuant to this section from the obligation to
68 pay the annual registration fee due for the vehicle. The permanent nonexpiring license plate shall
69 be returned to the highways and transportation commission upon the sale or disposal of the
70 vehicle by the owner to whom the permanent nonexpiring license plate is issued, or the plate may
71 be transferred to a replacement commercial motor vehicle when the owner files a supplemental
72 application with the Missouri highways and transportation commission for the registration of
73 such replacement commercial motor vehicle. Upon payment of the annual registration fee, the
74 highways and transportation commission shall issue a certificate of registration or other suitable
75 evidence of payment of the annual fee, and such evidence of payment shall be carried at all times
76 in the vehicle for which it is issued.

77 (6) Upon the sale or disposal of any vehicle permanently registered under this section,
78 or upon the termination of a lease of any such vehicle, the permanent nonexpiring plate issued
79 for such vehicle shall be returned to the highways and transportation commission and shall not
80 be valid for operation of such vehicle, or the plate may be transferred to a replacement vehicle
81 when the owner files a supplemental application with the Missouri highways and transportation
82 commission for the registration of such replacement vehicle. If a vehicle which is permanently
83 registered under this section is sold, wrecked or otherwise disposed of, or the lease terminated,

84 the registrant shall be given credit for any unused portion of the annual registration fee when the
85 vehicle is replaced by the purchase or lease of another vehicle during the registration year.

86 7. The director of revenue and the highways and transportation commission may
87 prescribe rules and regulations for the effective administration of this section. No rule or portion
88 of a rule promulgated under the authority of this section shall become effective unless it has been
89 promulgated pursuant to the provisions of section 536.024, RSMo.

90 8. Notwithstanding the provisions of any other law to the contrary, owners of motor
91 vehicles other than apportioned motor vehicles or commercial motor vehicles licensed in excess
92 of eighteen thousand pounds gross weight may apply for special personalized license plates.
93 Vehicles licensed for eighteen thousand pounds that display special personalized license plates
94 shall be subject to the provisions of subsections 1 and 2 of section 301.030.

95 9. [Commencing] **No later than** January 1, 2009, the director of revenue shall [cause
96 to be reissued] **commence the reissuance of** new license plates of such design as directed by the
97 director consistent with the terms, conditions, and provisions of this section and this chapter.
98 Except as otherwise provided in this section, in addition to all other fees required by law,
99 applicants for registration of vehicles with license plates that expire [between January 1, 2009,
100 and December 31, 2011] **during the period of reissuance**, applicants for registration of trailers
101 or semitrailers with license plates that expire between January 1, 2009, and December 31, 2011,
102 and applicants for registration of vehicles that are to be issued new license plates shall pay an
103 additional fee, based on the actual cost of the reissuance, to cover the cost of the newly reissued
104 plates required by this subsection. The additional fee prescribed in this subsection shall not be
105 charged to persons receiving special license plates issued under section 301.073 or 301.443.
106 Historic motor vehicle license plates registered pursuant to section 301.131 and specialized
107 license plates are exempt from the provisions of this subsection.

301.143. 1. As used in this section, the term "vehicle" shall have the same meaning
2 given it in section 301.010, and the term "physically disabled" shall have the same meaning
3 given it in section 301.142.

4 2. Political subdivisions of the state may by ordinance or resolution designate parking
5 spaces for the exclusive use of vehicles which display a distinguishing license plate or card
6 issued pursuant to section 301.071 or 301.142. Owners of private property used for public
7 parking shall also designate parking spaces for the exclusive use of vehicles which display a
8 distinguishing license plate or card issued pursuant to section 301.071 or 301.142. Whenever
9 a political subdivision or owner of private property so designates a parking space, the space shall
10 be indicated by a sign upon which shall be inscribed the international symbol of accessibility and
11 shall also include any appropriate wording to indicate that the space is reserved for the exclusive
12 use of vehicles which display a distinguishing license plate or card. The sign described in this

13 subsection shall also state, or an additional sign shall be posted below or adjacent to the sign
14 stating, the following: "\$50 to \$300 fine."

15 3. Any political subdivision, by ordinance or resolution, and any person or corporation
16 in lawful possession of a public off-street parking facility or any other owner of private property
17 may designate reserved parking spaces for the exclusive use of vehicles which display a
18 distinguishing license plate or card issued pursuant to section 301.071 or 301.142 as close as
19 possible to the nearest accessible entrance. Such designation shall be made by posting
20 immediately adjacent to, and visible from, each space, a sign upon which is inscribed the
21 international symbol of accessibility, and may also include any appropriate wording to indicate
22 that the space is reserved for the exclusive use of vehicles which display a distinguishing license
23 plate or card.

24 4. The local police or sheriff's department may cause the removal of any vehicle not
25 displaying a distinguishing license plate or card on which is inscribed the international symbol
26 of accessibility and the word "disabled" issued pursuant to section 301.142 or a "disabled
27 veteran" license plate issued pursuant to section 301.071 or a distinguishing license plate or card
28 issued by any other state from a space designated for physically disabled persons if there is
29 posted immediately adjacent to, and readily visible from, such space a sign on which is inscribed
30 the international symbol of accessibility and may include any appropriate wording to indicate that
31 the space is reserved for the exclusive use of vehicles which display a distinguishing license plate
32 or card. Any person who parks in a space reserved for physically disabled persons and is not
33 displaying distinguishing license plates or a card is guilty of an infraction and upon conviction
34 thereof shall be punished by a fine of not less than fifty dollars nor more than three hundred
35 dollars. Any vehicle which has been removed and which is not properly claimed within thirty
36 days thereafter shall be considered to be an abandoned vehicle.

37 5. Spaces designated for use by vehicles displaying the distinguishing "disabled" license
38 plate issued pursuant to section 301.142 or 301.071 shall meet the requirements of the federal
39 Americans with Disabilities Act, as amended, and any rules or regulations established pursuant
40 thereto. Notwithstanding the other provisions of this section, on-street parking spaces designated
41 by political subdivisions in residential areas for the exclusive use of vehicles displaying a
42 distinguishing license plate or card issued pursuant to section 301.071 or 301.142 shall meet the
43 requirements of the federal Americans with Disabilities Act pursuant to this subsection and any
44 such space shall have clearly and visibly painted upon it the international symbol of accessibility
45 and any curb adjacent to the space shall be clearly and visibly painted blue.

46 6. Any person who, without authorization, uses a distinguishing license plate or card
47 issued pursuant to section 301.071 or 301.142 to park in a parking space reserved under authority
48 of this section shall be guilty of a class B misdemeanor.

49 7. Law enforcement officials may enter upon private property open to public use to
50 enforce the provisions of this section and section 301.142, including private property designated
51 by the owner of such property for the exclusive use of vehicles which display a distinguishing
52 license plate or card issued pursuant to section 301.071 or 301.142.

53 8. Nonconforming signs or spaces otherwise required pursuant to this section which are
54 in use prior to August 28, 1997, shall not be in violation of this section during the useful life of
55 such signs or spaces. Under no circumstances shall the useful life of the nonconforming signs
56 or spaces be extended by means other than those means used to maintain any sign or space on
57 the owner's property which is not used for vehicles displaying a disabled license plate.

58 **9. Beginning August 28, 2007, all new signs erected under this section shall contain**
59 **the words "Accessible Parking" in lieu of the words "Handicap Parking".**

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

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

11 (2) Presentation of all documentation otherwise required by law for vehicle registration
12 including, but not limited to, a personal property tax receipt or certified statement for the
13 preceding year that no such taxes were due as set forth in section 301.025, **and** proof of [a] **any**
14 **applicable** motor vehicle safety inspection and any applicable emission inspection conducted
15 within sixty days prior to the date of application and proof of insurance as required by section
16 303.026, RSMo. **If a motor vehicle owner is exempt from submitting proof of a motor**
17 **vehicle safety inspection under the provisions of section 307.357, RSMo, then the motor**
18 **vehicle owner shall submit an affidavit stating that the motor vehicle has fewer than fifty**
19 **thousand miles and newer than five years old.**

20 2. The director of revenue may prescribe rules and regulations for the effective
21 administration of this section. The director is authorized to adopt those rules that are reasonable
22 and necessary to accomplish the limited duties specifically delegated within this section. Any
23 rule or portion of a rule, as that term is defined in section 536.010, RSMo, that is promulgated
24 pursuant to the authority delegated in this section shall become effective only if it has been
25 promulgated pursuant to the provisions of chapter 536, RSMo. This section and chapter 536,

26 RSMo, are nonseverable and if any of the powers vested with the general assembly pursuant to
27 chapter 536, RSMo, to review, to delay the effective date or to disapprove and annul a rule are
28 subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed
29 or adopted after July 1, 2000, shall be invalid and void.

30 3. The director of revenue shall have the authority to stagger the registration period of
31 motor vehicles other than commercial motor vehicles licensed in excess of twelve thousand
32 pounds gross weight. Once the owner of a motor vehicle chooses the option of biennial
33 registration, such registration must be maintained for the full twenty-four month period.

**307.357. 1. Notwithstanding sections 307.350 to 307.390, a motor vehicle owner
2 may renew or reregister the registration plates on a motor vehicle that is otherwise
3 required to be inspected if such vehicle has fewer than fifty thousand miles, as evidenced
4 by the odometer, without submitting such vehicle to a biennial motor vehicle safety
5 inspection.**

6 **2. In order to qualify for the exemption set forth in subsection 1 of this section, the
7 owner of such a vehicle shall submit to the director an affidavit, stating the true mileage,
8 sworn to under the penalty of perjury, stating that the motor vehicle has fewer than fifty
9 thousand miles and is newer than five years old.**

10 **3. The provisions of this section shall not exempt a person from submitting such a
11 motor vehicle to a motor vehicle safety inspection for purposes of initially registering and
12 titling such a vehicle, transferring ownership, or when a motor vehicle safety inspection is
13 otherwise required by law.**

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