

FIRST REGULAR SESSION

SENATE BILL NO. 30

95TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR STOUFFER.

Pre-filed December 1, 2008, and ordered printed.

TERRY L. SPIELER, Secretary.

0146S.011

AN ACT

To amend chapter 302, RSMo, by adding thereto one new section relating to restricted license plates.

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

Section A. Chapter 302, RSMo, is amended by adding thereto one new
2 section, to be known as section 302.305, to read as follows:

302.305. 1. Beginning January 1, 2010, the director of the
2 **department of revenue shall issue a registration plate impoundment**
3 **order to any person whose driver's license has been revoked or**
4 **disqualified for a period of one year or greater. The registration plate**
5 **impoundment order shall require the impoundment of the registration**
6 **plates of all motor vehicles owned by, registered, or leased in the name**
7 **of the person whose driver's license has been revoked or disqualified,**
8 **including motor vehicles registered solely or jointly in the name of**
9 **such individual. The registration impoundment order authorized by**
10 **this section shall not apply to the registration plates of commercial**
11 **motor vehicles, owned by, registered, or leased in the name of the**
12 **person whose driver's license has been suspended, revoked, or**
13 **disqualified. The registration plate impoundment order shall notify the**
14 **person that he or she has seven days to surrender all registration**
15 **plates listed in the registration impoundment order. Within seven days**
16 **of receipt of the registration plate impoundment order, the person shall**
17 **surrender his or her current license plates for any motor vehicle**
18 **registered solely or jointly in the name of such person to the director**
19 **of the department of revenue for destruction. If the person fails to**
20 **return all license plates to the director within seven days of receipt of**
21 **the registration plate impoundment order, the director shall direct the**

22 Missouri state highway patrol or any peace or police officer to secure
23 the possession of such license plates. The person shall be issued a set
24 of restricted license plates that bear a special series of numbers or
25 letters. The numbers or letters shall be coded or configured in such a
26 manner so as to be readily identified by the highway patrol and other
27 law enforcement officers. The restricted plates shall be displayed on
28 the motor vehicle or motor vehicles registered solely or jointly in the
29 person's name for the period of the revocation, denial, or
30 disqualification. The applicant shall pay replacement plate fees as
31 provided in section 301.300, RSMo, for the restricted license plates in
32 addition to any other registration fees that may apply. After
33 reinstatement, standard plates shall be obtained under the
34 requirements and fees established in chapter 301, RSMo.

35 2. Until the driver's license of the motor vehicle owner is
36 reinstated, any new license plate issued to the motor vehicle owner
37 shall conform to the provisions of this section.

38 3. Any law enforcement officer who observes the operation of a
39 motor vehicle within this state bearing the restricted license plates
40 issued under this section, may stop the motor vehicle for the purpose
41 of determining whether the driver is operating such vehicle lawfully
42 under a valid driver's license.

43 4. A registered owner of a motor vehicle who has been issued
44 restricted license plates under the provisions of this section may not
45 sell the motor vehicle during the period the motor vehicle is required
46 to display such plates unless the registered owner applies to the
47 department of revenue for permission to transfer title to the motor
48 vehicle. If the director of the department of revenue is satisfied that
49 the proposed sale is in good faith and for a valid consideration, and
50 that the sale or transfer is not for the purpose of circumventing the
51 provisions of this section, the director may certify its consent to the
52 owner of the motor vehicle. Any vehicle acquired by the applicant
53 during the period of restriction shall display the restricted license
54 plates.

55 5. If, during the time the restricted license plates are required
56 to be displayed under this section, the title to a motor vehicle is
57 transferred by a foreclosure, a sale upon execution, or other similar
58 legal action, the department shall enter notice of the transfer of the

59 motor vehicle's title in the motor vehicle system and the restricted
60 license plates shall be returned to the department of revenue for
61 destruction.

62 6. No person operating a motor vehicle displaying restricted
63 license plates as described in this section shall knowingly replace,
64 disguise, or obscure the nature of such plates.

65 7. Nothing contained in this section shall alter or be construed
66 to alter the obligations of a person with respect to the taxation of
67 motor vehicles or the time within which a person must pay personal
68 property taxes upon a motor vehicle.

69 8. The director of the department of revenue is authorized to
70 promulgate rules and regulations to implement the provisions of this
71 section. Any rule or portion of a rule, as that term is defined in section
72 536.010, RSMo, that is created under the authority delegated in this
73 section shall become effective only if it complies with and is subject to
74 all of the provisions of chapter 536, RSMo, and, if applicable, section
75 536.028, RSMo. This section and chapter 536, RSMo, are nonseverable
76 and if any of the powers vested with the general assembly pursuant to
77 chapter 536, RSMo, to review, to delay the effective date, or to
78 disapprove and annul a rule are subsequently held unconstitutional,
79 then the grant of rulemaking authority and any rule proposed or
80 adopted after August 28, 2009, shall be invalid and void.

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