

SECOND REGULAR SESSION

SENATE BILL NO. 1018

95TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR NODLER.

Read 1st time March 1, 2010, and ordered printed.

TERRY L. SPIELER, Secretary.

5307S.011

AN ACT

To repeal section 136.055, RSMo, and to enact in lieu thereof one new section relating to nonprofit fee offices.

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

Section A. Section 136.055, RSMo, is repealed and one new section
2 enacted in lieu thereof, to be known as section 136.055, to read as follows:

136.055. 1. Any person who is selected or appointed by the state director
2 of revenue as provided in subsection 2 of this section to act as an agent of the
3 department of revenue, whose duties shall be the processing of motor vehicle title
4 and registration transactions and the collection of sales and use taxes when
5 required under sections 144.070 and 144.440, RSMo, and who receives no salary
6 from the department of revenue, shall be authorized to collect from the party
7 requiring such services additional fees as compensation in full and for all services
8 rendered on the following basis:

9 (1) For each motor vehicle or trailer registration issued, renewed or
10 transferred--three dollars and fifty cents and seven dollars for those licenses sold
11 or biennially renewed pursuant to section 301.147, RSMo;

12 (2) For each application or transfer of title--two dollars and fifty cents;

13 (3) For each instruction permit, nondriver license, chauffeur's, operator's
14 or driver's license issued for a period of three years or less--two dollars and fifty
15 cents and five dollars for licenses or instruction permits issued or renewed for a
16 period exceeding three years;

17 (4) For each notice of lien processed--two dollars and fifty cents;

18 (5) No notary fee or other fee or additional charge shall be paid or
19 collected except for electronic telephone transmission reception--two dollars.

20 2. The director of revenue shall award fee office contracts under this
21 section through a competitive bidding process. The competitive bidding process

22 shall give priority to organizations and entities that are exempt from taxation
23 under Section 501(c)(3) or 501(c)(6) of the Internal Revenue Code of 1986, as
24 amended, **and whose primary administrative office is located in the same**
25 **county, legislative district, or senatorial district as the fee office bid**
26 **upon**, and political subdivisions, including but not limited to, municipalities,
27 counties, and fire protection districts. The director of the department of revenue
28 may promulgate rules and regulations necessary to carry out the provisions of
29 this subsection. Any rule or portion of a rule, as that term is defined in section
30 536.010, RSMo, that is created under the authority delegated in this subsection
31 shall become effective only if it complies with and is subject to all of the
32 provisions of chapter 536, RSMo, and, if applicable, section 536.028, RSMo. This
33 section and chapter 536, RSMo, are nonseverable and if any of the powers vested
34 with the general assembly pursuant to chapter 536, RSMo, to review, to delay the
35 effective date, or to disapprove and annul a rule are subsequently held
36 unconstitutional, then the grant of rulemaking authority and any rule proposed
37 or adopted after August 28, 2009, shall be invalid and void.

38 3. All fees collected by a tax-exempt organization may be retained and
39 used by the organization.

40 4. All fees charged shall not exceed those in this section. The fees
41 imposed by this section shall be collected by all permanent offices and all
42 full-time or temporary offices maintained by the department of revenue.

43 5. Any person acting as agent of the department of revenue for the sale
44 and issuance of registrations, licenses, and other documents related to motor
45 vehicles shall have an insurable interest in all license plates, licenses, tabs, forms
46 and other documents held on behalf of the department.

47 6. The fees authorized by this section shall not be collected by motor
48 vehicle dealers acting as agents of the department of revenue under section
49 32.095, RSMo, or those motor vehicle dealers authorized to collect and remit sales
50 tax under subsection 8 of section 144.070, RSMo.

51 7. Notwithstanding any other provision of law to the contrary, the state
52 auditor may audit all records maintained and established by the fee office in the
53 same manner as the auditor may audit any agency of the state, and the
54 department shall ensure that this audit requirement is a necessary condition for
55 the award of all fee office contracts. No confidential records shall be divulged in
56 such a way to reveal personally identifiable information.

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