

FIRST REGULAR SESSION
SENATE COMMITTEE SUBSTITUTE FOR

SENATE BILLS NOS. 26 & 106

96TH GENERAL ASSEMBLY

Reported from the Committee on Transportation, March 31, 2011, with recommendation that the Senate Committee Substitute do pass.

0191S.02C

TERRY L. SPIELER, Secretary.

AN ACT

To amend chapter 301, RSMo, by adding thereto two new sections relating to specialized license plates.

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

Section A. Chapter 301, RSMo, is amended by adding thereto two new sections, to be known as sections 301.477 and 301.4006, to read as follows:

301.477. 1. Any person who has been awarded the combat action badge may apply for special personalized motor vehicle license plates for any vehicle the person owns, either solely or jointly, other than an apportioned motor vehicle or a commercial motor vehicle licensed in excess of eighteen thousand pounds gross weight.

2. Any such person shall make application for the special license plates on a form provided by the director of revenue and furnish such proof as a recipient of the combat action badge as the director may require.

3. The director shall then issue license plates bearing the words "COMBAT ACTION" in place of the words "SHOW-ME STATE" in a form prescribed by the director, except that such license plates shall be made with fully reflective material, shall have a white background with a blue and red configuration at the discretion of the director, shall be clearly visible at night, and shall be aesthetically attractive, as prescribed by section 301.130. Such plates shall also bear an image of the combat action badge.

4. There shall be an additional fee of fifteen dollars charged for each set of special combat action badge license plates issued pursuant to this section. Notwithstanding the provisions of section 301.144, no

21 additional fee shall be charged for the personalization of license plates
22 issued pursuant to this section.

23 5. There shall be no limit on the number of license plates any
24 person qualified under this section may obtain so long as each set of
25 license plates issued under this section is issued for vehicles owned
26 solely or jointly by such person.

27 6. License plates issued pursuant to the provisions of this section
28 shall not be transferable to any other person except that any registered
29 co-owner of the motor vehicle shall be entitled to operate the motor
30 vehicle with such plates for the duration of the year licensed in the
31 event of the death of the qualified person.

32 7. The director may consult with the Missouri national guard or
33 any other organization which represents the interests of persons
34 receiving combat action badges when formulating the design for the
35 special license plates described in this section.

36 8. The director shall make all necessary rules and regulations for
37 the administration of this section, and shall design all necessary forms
38 required by this section. Any rule or portion of a rule, as that term is
39 defined in section 536.010 that is created under the authority delegated
40 in this section shall become effective only if it complies with and is
41 subject to all of the provisions of chapter 536, and, if applicable, section
42 536.028. This section and chapter 536 are nonseverable and if any of
43 the powers vested with the general assembly pursuant to chapter 536,
44 to review, to delay the effective date, or to disapprove and annul a rule
45 are subsequently held unconstitutional, then the grant of rulemaking
46 authority and any rule proposed or adopted after August 28, 2011, shall
47 be invalid and void.

301.4006. 1. Notwithstanding any other provision of law, any
2 person, after an annual payment of an emblem-use fee to the Nixa
3 Education Foundation, may receive personalized speciality license
4 plates for any vehicle owned, either solely or jointly, other than an
5 apportioned motor vehicle or a commercial motor vehicle licensed in
6 excess of eighteen thousand pounds gross weight. The Nixa Education
7 Foundation hereby authorizes the use of its official emblem to be
8 affixed on multi-year personalized speciality license plates as provided
9 in this section. Any contribution to the Nixa Education Foundation
10 derived from this section, except reasonable administrative costs, shall

11 be used solely for the purposes of the Nixa Education Foundation. Any
12 person may annually apply for the use of the emblem.

13 2. Upon annual application and payment of a fifteen dollar
14 emblem-use contribution to the Nixa Education Foundation, the Nixa
15 Education Foundation shall issue to the vehicle owner, without further
16 charge, an emblem-use authorization statement, which shall be
17 presented by the vehicle owner to the director of revenue at the time
18 of registration. Upon presentation of the annual emblem-use
19 authorization statement and payment of a fifteen dollar fee in addition
20 to the regular registration fees, and presentation of any documents
21 which may be required by law, the director of revenue shall issue to the
22 vehicle owner a personalized speciality license plate which shall bear
23 the emblem of the Nixa Education Foundation. Such license plates
24 shall be made with fully reflective material with a common color
25 scheme and design, shall be clearly visible at night, and shall be
26 aesthetically attractive, as prescribed by section 301.130. In addition,
27 upon each set of license plates shall be inscribed, in lieu of the words
28 "SHOW-ME STATE", the words "NIXA EDUCATION
29 FOUNDATION". Notwithstanding the provisions of section 301.144, no
30 additional fee shall be charged for the personalized specialty plates
31 issued under this section.

32 3. A vehicle owner who was previously issued a plate with the
33 Nixa Education Foundation's emblem authorized by this section, but
34 who does not provide an emblem-use authorization statement at a
35 subsequent time of registration, shall be issued a new plate which does
36 not bear the Nixa Education Foundation's emblem, as otherwise
37 provided by law. The director of revenue shall make necessary rules
38 and regulations for the enforcement of this section, and shall design all
39 necessary forms required by this section.

40 4. Prior to the issuance of a Nixa Education Foundation
41 speciality plate authorized under this section, the department of
42 revenue must be in receipt of an application, as prescribed by the
43 director, which shall be accompanied by a list of at least two hundred
44 potential applicants who plan to purchase the speciality plate, the
45 proposed art design for the specialty license plate, and an application
46 fee, not to exceed five thousand dollars, to defray the department's cost
47 for issuing, developing, and programming the implementation of the

48 **specialty plate. Once the plate design is approved, the director of**
49 **revenue shall not authorize the manufacture of the material to produce**
50 **such personalized specialty license plates with the individual seal, logo,**
51 **or emblem until such time as the director has received two hundred**
52 **applications, the fifteen dollar specialty plate fee per application, and**
53 **emblem-use statements, if applicable, and other required documents or**
54 **fees for such plates.**

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