

FIRST REGULAR SESSION

# SENATE BILL NO. 402

96TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR KEHOE.

Read 1st time March 1, 2011, and ordered printed.

TERRY L. SPIELER, Secretary.

1865S.011

## AN ACT

To repeal sections 136.055, 301.032, 301.130, 301.140, 301.160, 301.290, 301.300, 301.301, and 301.302, RSMo, and to enact in lieu thereof nine new sections relating to motor vehicle windshield stickers, with an effective date.

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

Section A. Sections 136.055, 301.032, 301.130, 301.140, 301.160, 301.290, 301.300, 301.301, and 301.302, RSMo, are repealed and nine new sections enacted in lieu thereof, to be known as sections 136.055, 301.032, 301.130, 301.140, 301.160, 301.290, 301.300, 301.301, and 301.302, to read as follows:

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

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

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

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

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

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 political subdivisions, including but not limited to, municipalities,  
25 counties, and fire protection districts. The director of the department of revenue  
26 may promulgate rules and regulations necessary to carry out the provisions of  
27 this subsection. Any rule or portion of a rule, as that term is defined in section  
28 536.010, that is created under the authority delegated in this subsection shall  
29 become effective only if it complies with and is subject to all of the provisions of  
30 chapter 536 and, if applicable, section 536.028. This section and chapter 536 are  
31 nonseverable and if any of the powers vested with the general assembly pursuant  
32 to chapter 536 to review, to delay the effective date, or to disapprove and annul  
33 a rule are subsequently held unconstitutional, then the grant of rulemaking  
34 authority and any rule proposed or adopted after August 28, 2009, shall be  
35 invalid and void.

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

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

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

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

49 7. Notwithstanding any other provision of law to the contrary, the state  
50 auditor may audit all records maintained and established by the fee office in the  
51 same manner as the auditor may audit any agency of the state, and the  
52 department shall ensure that this audit requirement is a necessary condition for

53 the award of all fee office contracts. No confidential records shall be divulged in  
54 such a way to reveal personally identifiable information.

301.032. 1. Notwithstanding the provisions of sections 301.030 and  
2 301.035 to the contrary, the director of revenue shall establish a system of  
3 registration of all fleet vehicles owned or purchased by a fleet owner registered  
4 pursuant to this section. The director of revenue shall prescribe the forms for  
5 such fleet registration and the forms and procedures for the registration updates  
6 prescribed in this section. Any owner of ten or more motor vehicles which must  
7 be registered in accordance with this chapter may register as a fleet owner. All  
8 registered fleet owners may, at their option, register all motor vehicles included  
9 in the fleet on a calendar year or biennial basis pursuant to this section in lieu  
10 of the registration periods provided in sections 301.030, 301.035, and  
11 301.147. The director shall issue an identification number to each registered  
12 owner of fleet vehicles.

13 2. All fleet vehicles included in the fleet of a registered fleet owner shall  
14 be registered during April each year or on a prorated basis as provided in  
15 subsection 3 of this section. Fees of all vehicles in the fleet to be registered on  
16 a calendar year basis or on a biennial basis shall be payable not later than the  
17 last day of April of each year, with two years' fees due for biennially-registered  
18 vehicles. Notwithstanding the provisions of section 307.355, an application for  
19 registration of a fleet vehicle must be accompanied by a certificate of inspection  
20 and approval issued no more than one hundred twenty days prior to the date of  
21 application. The fees for vehicles added to the fleet which must be licensed at the  
22 time of registration shall be payable at the time of registration, except that when  
23 such vehicle is licensed between July first and September thirtieth the fee shall  
24 be three-fourths the annual fee, when licensed between October first and  
25 December thirty-first the fee shall be one-half the annual fee and when licensed  
26 on or after January first the fee shall be one-fourth the annual fee. When  
27 biennial registration is sought for vehicles added to a fleet, an additional year's  
28 annual fee will be added to the partial year's prorated fee.

29 3. At any time during the calendar year in which an owner of a fleet  
30 purchases or otherwise acquires a vehicle which is to be added to the fleet or  
31 transfers plates to a fleet vehicle, the owner shall present to the director of  
32 revenue the identification number as a fleet number and may register the vehicle  
33 for the partial year as provided in subsection 2 of this section. The fleet owner  
34 shall also be charged a transfer fee of two dollars for each vehicle so transferred

35 pursuant to this subsection.

36 4. Except as specifically provided in this subsection, all fleet vehicles  
37 registered pursuant to this section shall be issued a special license plate which  
38 shall have the words "Fleet Vehicle" in place of the words "Show-Me State" in the  
39 manner prescribed by the advisory committee established in section  
40 301.129. Alternatively, for a one-time additional five dollar per-vehicle fee  
41 beyond the regular registration fee, owners of fleet vehicles may apply for fleet  
42 license plates bearing a company name or logo. All fleet license plates shall be  
43 made with fully reflective material with a common color scheme and design, shall  
44 be clearly visible at night, and shall be aesthetically attractive, as prescribed by  
45 section 301.130. Fleet vehicles shall be issued multiyear license plates as  
46 provided in this section which shall not require issuance of a renewal tab **or**  
47 **window sticker**. Upon payment of appropriate registration fees, the director  
48 of revenue shall issue a registration certificate or other suitable evidence of  
49 payment of the annual or biennial fee, and such evidence of payment shall be  
50 carried at all times in the vehicle for which it is issued. The director of revenue  
51 shall promulgate rules and regulations establishing the procedure for application  
52 and issuance of fleet vehicle license plates.

53 5. Notwithstanding the provisions of sections 307.350 to 307.390 to the  
54 contrary, a fleet vehicle registered in Missouri is exempt from the requirements  
55 of sections 307.350 to 307.390, if at the time of the annual fleet registration, such  
56 fleet vehicle is situated outside the state of Missouri.

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

15 guard will have the "NATIONAL GUARD" wording in preference to the words  
16 "SHOW-ME STATE".

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

21         3. All property-carrying commercial motor vehicles to be registered at a  
22 gross weight in excess of twelve thousand pounds, all passenger-carrying  
23 commercial motor vehicles, local transit buses, school buses, trailers, semitrailers,  
24 motorcycles, motortricycles, motorscooters and driveaway vehicles shall be  
25 registered with the director of revenue as provided for in subsection 3 of section  
26 301.030, or with the state highways and transportation commission as otherwise  
27 provided in this chapter, but only one license plate shall be issued for each such  
28 vehicle.

29         4. The plates issued to manufacturers and dealers shall bear the letters  
30 and numbers as prescribed by section 301.560, and the director may place upon  
31 the plates other letters or marks to distinguish commercial motor vehicles and  
32 trailers and other types of motor vehicles.

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

51 thereon right side up or if two plates are issued for the vehicle pursuant to  
52 subsection 3 of this section, displayed in the same manner on the front and rear  
53 of such vehicles. The license plate or plates authorized by section 301.140, when  
54 properly attached, shall be prima facie evidence that the required fees have been  
55 paid.

56           6. (1) **Beginning January 1, 2012**, the director of revenue shall issue  
57 annually or biennially a [tab or set of tabs] **window sticker, to be placed on**  
58 **the front windshield of the motor vehicle**, as provided by law as evidence  
59 of the annual payment of registration fees and the current registration of a  
60 vehicle in lieu of the set of plates. **Notwithstanding the provisions of this**  
61 **section, motorcycles and trailers shall be issued license plate tabs in**  
62 **lieu of window stickers.** Beginning January 1, 2010, the director may  
63 prescribe any additional information recorded on the tab or tabs **or window**  
64 **sticker** to ensure that the tab or tabs **or the window sticker** positively  
65 correlate with the license plate or plates issued by the department of revenue for  
66 such vehicle. Such tabs **or window stickers** shall be produced in each license  
67 bureau office.

68           (2) [The vehicle owner to whom a tab or set of tabs is issued shall affix  
69 and display such tab or tabs in the designated area of the license plate, no more  
70 than one per plate] **The window sticker shall be placed on the inside**  
71 **front window in an area prescribed by the director of revenue. Tabs**  
72 **issued to motorcycles and trailers shall be affixed and displayed in the**  
73 **designated area of the license plate.**

74           (3) A tab or [set of tabs] **window sticker** issued by the director of  
75 revenue when attached to a vehicle in the prescribed manner shall be prima facie  
76 evidence that the registration fee for such vehicle has been paid.

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

79           (5) For those commercial motor vehicles and trailers registered pursuant  
80 to section 301.041, the plate issued by the highways and transportation  
81 commission shall be a permanent nonexpiring license plate for which no tabs **or**  
82 **window sticker** shall be issued. Nothing in this section shall relieve the owner  
83 of any vehicle permanently registered pursuant to this section from the obligation  
84 to pay the annual registration fee due for the vehicle. The permanent  
85 nonexpiring license plate shall be returned to the highways and transportation  
86 commission upon the sale or disposal of the vehicle by the owner to whom the

87 permanent nonexpiring license plate is issued, or the plate may be transferred to  
88 a replacement commercial motor vehicle when the owner files a supplemental  
89 application with the Missouri highways and transportation commission for the  
90 registration of such replacement commercial motor vehicle. Upon payment of the  
91 annual registration fee, the highways and transportation commission shall issue  
92 a certificate of registration or other suitable evidence of payment of the annual  
93 fee, and such evidence of payment shall be carried at all times in the vehicle for  
94 which it is issued.

95 (6) Upon the sale or disposal of any vehicle permanently registered under  
96 this section, or upon the termination of a lease of any such vehicle, the permanent  
97 nonexpiring plate issued for such vehicle shall be returned to the highways and  
98 transportation commission and shall not be valid for operation of such vehicle, or  
99 the plate may be transferred to a replacement vehicle when the owner files a  
100 supplemental application with the Missouri highways and transportation  
101 commission for the registration of such replacement vehicle. If a vehicle which  
102 is permanently registered under this section is sold, wrecked or otherwise  
103 disposed of, or the lease terminated, the registrant shall be given credit for any  
104 unused portion of the annual registration fee when the vehicle is replaced by the  
105 purchase or lease of another vehicle during the registration year.

106 7. The director of revenue and the highways and transportation  
107 commission may prescribe rules and regulations for the effective administration  
108 of this section. [No rule or portion of a rule promulgated under the authority of  
109 this section shall become effective unless it has been promulgated pursuant to the  
110 provisions of section 536.024.] **Any rule or portion of a rule, as that term**  
111 **is defined in section 536.010, that is created under the authority**  
112 **delegated in this section shall become effective only if it complies with**  
113 **and is subject to all of the provisions of chapter 536 and, if applicable,**  
114 **section 536.028. This section and chapter 536 are nonseverable and if**  
115 **any of the powers vested with the general assembly pursuant to chapter**  
116 **536 to review, to delay the effective date, or to disapprove and annul a**  
117 **rule are subsequently held unconstitutional, then the grant of**  
118 **rulemaking authority and any rule proposed or adopted after August**  
119 **28, 2011, shall be invalid and void.**

120 8. Notwithstanding the provisions of any other law to the contrary, owners  
121 of motor vehicles other than apportioned motor vehicles or commercial motor  
122 vehicles licensed in excess of eighteen thousand pounds gross weight may apply

123 for special personalized license plates. Vehicles licensed for eighteen thousand  
124 pounds that display special personalized license plates shall be subject to the  
125 provisions of subsections 1 and 2 of section 301.030.

126           9. No later than January 1, 2009, the director of revenue shall commence  
127 the reissuance of new license plates of such design as directed by the director  
128 consistent with the terms, conditions, and provisions of this section and this  
129 chapter. Except as otherwise provided in this section, in addition to all other fees  
130 required by law, applicants for registration of vehicles with license plates that  
131 expire during the period of reissuance, applicants for registration of trailers or  
132 semitrailers with license plates that expire during the period of reissuance and  
133 applicants for registration of vehicles that are to be issued new license plates  
134 during the period of reissuance shall pay the cost of the plates required by this  
135 subsection. The additional cost prescribed in this subsection shall not be charged  
136 to persons receiving special license plates issued under section 301.073 or  
137 301.443. Historic motor vehicle license plates registered pursuant to section  
138 301.131 and specialized license plates are exempt from the provisions of this  
139 subsection. Except for new, replacement, and transfer applications, permanent  
140 nonexpiring license plates issued to commercial motor vehicles and trailers  
141 registered under section 301.041 are exempt from the provisions of this  
142 subsection.

          301.140. 1. Upon the transfer of ownership of any motor vehicle or trailer,  
2 the certificate of registration and the right to use the number plates shall expire  
3 and the number plates **and window sticker** shall be removed by the owner at  
4 the time of the transfer of possession, and it shall be unlawful for any person  
5 other than the person to whom such number plates were originally issued to have  
6 the same in his or her possession whether in use or not, unless such possession  
7 is solely for charitable purposes; except that the buyer of a motor vehicle or  
8 trailer who trades in a motor vehicle or trailer may attach the license plates from  
9 the traded-in motor vehicle or trailer to the newly purchased motor vehicle or  
10 trailer. The operation of a motor vehicle with such transferred plates shall be  
11 lawful for no more than thirty days. **A window sticker shall not be required**  
12 **during the thirty-day time frame.** As used in this subsection, the term  
13 "trade-in motor vehicle or trailer" shall include any single motor vehicle or trailer  
14 sold by the buyer of the newly purchased vehicle or trailer, as long as the license  
15 plates for the trade-in motor vehicle or trailer are still valid.

16           2. In the case of a transfer of ownership the original owner may register



17 another motor vehicle under the same number, upon the payment of a fee of two  
18 dollars, **and payment of a fee as prescribed in section 301.300 for a**  
19 **replacement window sticker**, if the motor vehicle is of horsepower, gross  
20 weight or (in the case of a passenger-carrying commercial motor vehicle) seating  
21 capacity, not in excess of that originally registered. When such motor vehicle is  
22 of greater horsepower, gross weight or (in the case of a passenger-carrying  
23 commercial motor vehicle) seating capacity, for which a greater fee is prescribed,  
24 applicant shall pay a transfer fee of two dollars, **the fee prescribed in section**  
25 **301.300 for a replacement window sticker**, and a pro rata portion for the  
26 difference in fees. When such vehicle is of less horsepower, gross weight or (in  
27 case of a passenger-carrying commercial motor vehicle) seating capacity, for which  
28 a lesser fee is prescribed, applicant shall not be entitled to a refund.

29         3. License plates may be transferred from a motor vehicle which will no  
30 longer be operated to a newly purchased motor vehicle by the owner of such  
31 vehicles. The owner shall pay a transfer fee of two dollars, **and payment of a**  
32 **fee as prescribed in section 301.300 for a replacement window sticker**,  
33 if the newly purchased vehicle is of horsepower, gross weight or (in the case of a  
34 passenger-carrying commercial motor vehicle) seating capacity, not in excess of  
35 that of the vehicle which will no longer be operated. When the newly purchased  
36 motor vehicle is of greater horsepower, gross weight or (in the case of a  
37 passenger-carrying commercial motor vehicle) seating capacity, for which a  
38 greater fee is prescribed, the applicant shall pay a transfer fee of two dollars, **the**  
39 **fee prescribed in section 301.300 for a replacement window sticker**, and  
40 a pro rata portion of the difference in fees. When the newly purchased vehicle is  
41 of less horsepower, gross weight or (in the case of a passenger-carrying  
42 commercial motor vehicle) seating capacity, for which a lesser fee is prescribed,  
43 the applicant shall not be entitled to a refund.

44         4. Upon the sale of a motor vehicle or trailer by a dealer, a buyer who has  
45 made application for registration, by mail or otherwise, may operate the same for  
46 a period of thirty days after taking possession thereof, if during such period the  
47 motor vehicle or trailer shall have attached thereto, in the manner required by  
48 section 301.130, number plates issued to the dealer. Upon application and  
49 presentation of proof of financial responsibility as required under subsection 5 of  
50 this section and satisfactory evidence that the buyer has applied for registration,  
51 a dealer may furnish such number plates to the buyer for such temporary use. In  
52 such event, the dealer shall require the buyer to deposit the sum of ten dollars

53 and fifty cents to be returned to the buyer upon return of the number plates as  
54 a guarantee that said buyer will return to the dealer such number plates within  
55 thirty days. The director shall issue a temporary permit authorizing the  
56 operation of a motor vehicle or trailer by a buyer for not more than thirty days  
57 of the date of purchase.

58         5. The temporary permit shall be made available by the director of  
59 revenue and may be purchased from the department of revenue upon proof of  
60 purchase of a motor vehicle or trailer for which the buyer has no registration  
61 plate available for transfer and upon proof of financial responsibility, or from a  
62 dealer upon purchase of a motor vehicle or trailer for which the buyer has no  
63 registration plate available for transfer. The director shall make temporary  
64 permits available to registered dealers in this state or authorized agents of the  
65 department of revenue in sets of ten permits. The fee for the temporary permit  
66 shall be seven dollars and fifty cents for each permit or plate issued. No dealer  
67 or authorized agent shall charge more than seven dollars and fifty cents for each  
68 permit issued. The permit shall be valid for a period of thirty days from the date  
69 of purchase of a motor vehicle or trailer, or from the date of sale of the motor  
70 vehicle or trailer by a dealer for which the purchaser obtains a permit as set out  
71 above. No permit shall be issued for a vehicle under this section unless the buyer  
72 shows proof of financial responsibility.

73         6. The permit shall be issued on a form prescribed by the director and  
74 issued only for the applicant's use in the operation of the motor vehicle or trailer  
75 purchased to enable the applicant to legally operate the vehicle while proper title  
76 and registration plate are being obtained, and shall be displayed on no other  
77 vehicle. Temporary permits issued pursuant to this section shall not be  
78 transferable or renewable and shall not be valid upon issuance of proper  
79 registration plates for the motor vehicle or trailer. The director shall determine  
80 the size and numbering configuration, construction, and color of the permit.

81         7. The dealer or authorized agent shall insert the date of issuance and  
82 expiration date, year, make, and manufacturer's number of vehicle on the permit  
83 when issued to the buyer. The dealer shall also insert such dealer's number on  
84 the permit. Every dealer that issues a temporary permit shall keep, for  
85 inspection of proper officers, a correct record of each permit issued by recording  
86 the permit or plate number, buyer's name and address, year, make,  
87 manufacturer's vehicle identification number on which the permit is to be used,  
88 and the date of issuance.

89           8. Upon the transfer of ownership of any currently registered motor  
90 vehicle wherein the owner cannot transfer the license plates due to a change of  
91 vehicle category, the owner may surrender the license plates issued to the motor  
92 vehicle and receive credit for any unused portion of the original registration fee  
93 against the registration fee of another motor vehicle. Such credit shall be granted  
94 based upon the date the license plates are surrendered. No refunds shall be  
95 made on the unused portion of any license plates surrendered for such credit.

301.160. Upon approval of the application for registration of a motor  
2 vehicle or trailer and when the required fee has been paid to the department of  
3 revenue, the department shall forward or deliver to the applicant the registration  
4 receipt and the number of license plates prescribed for the vehicle or trailer by  
5 section 301.130, or renewal tabs **or window stickers** if appropriate. The  
6 attachment to the motor vehicle or trailer specified in the application of current  
7 license plates shall be prima facie evidence that the fees have been paid for such  
8 license.

301.290. 1. Correctional enterprises of the department of corrections shall  
2 purchase, erect and maintain all of the machinery and equipment necessary for  
3 the manufacture of the license plates [and], tabs, **and window stickers** issued  
4 by the director of revenue, and of signs used by the state transportation  
5 department. [Beginning on January 1, 2011, correctional enterprises shall no  
6 longer erect and maintain tabs for the department of revenue.]

7           2. The director of revenue shall procure all plates issued by [him] **the**  
8 **director**, and the state transportation department shall procure all signs used  
9 by it from correctional enterprises, unless an emergency arises and correctional  
10 enterprises cannot furnish the plates, tabs, **window stickers**, or signs.

11           3. Correctional enterprises shall furnish the plates and signs at such a  
12 price as will not exceed the price at which such plates and signs may be obtained  
13 upon the open market, but in no event shall such price be less than the cost of  
14 manufacture, including labor and materials.

15           4. All moneys derived from the sale of the plates, tabs, **window stickers**,  
16 and signs shall be paid into the state treasury to the credit of the working capital  
17 revolving fund as provided in section 217.595.

301.300. 1. In event of the loss, theft, mutilation or destruction of any  
2 certificate of ownership, number plate, tab [or set of tabs] **or window sticker**  
3 issued by the director of revenue, the lawful holder thereof shall, within five days,  
4 file with the director of revenue, an affidavit showing such fact, and shall, on the

5 payment of a fee of eight dollars and fifty cents, obtain a duplicate or replacement  
6 of such plate, certificate, tab [or set of tabs] **or window sticker**. Any duplicate  
7 certificate issued for any "motor vehicle primarily for business use", as defined  
8 in section 301.010, shall be issued only to the owner of record.

9           2. Upon filing affidavit of lost, stolen, mutilated or destroyed certificate  
10 of registration, the director of revenue shall issue to the lawful owner a duplicate  
11 or replacement thereof upon payment of a fee of eight dollars and fifty cents.

12           3. Vehicle owners who elect not to transfer or renew multiyear plates  
13 shall be charged a fee equal to that charged for a lost plate in addition to the  
14 registration fee prescribed by law at the time the new plate or plates are issued.

15           4. Notwithstanding subsection 1 of this section, a new or used motor  
16 vehicle dealer may obtain a duplicate or replacement title in the owner's name  
17 if the owner's title has been lost, stolen, mutilated, or destroyed and is not  
18 available for assignment. In order to obtain the duplicate or replacement title  
19 from the department of revenue, the licensed dealer shall procure a power of  
20 attorney from the owner authorizing the dealer to obtain a duplicate or  
21 replacement title in the owner's name and sign any title assignments on the  
22 owner's behalf. The application to the department of revenue for the duplicate  
23 or replacement title shall be accompanied by the executed power of attorney, or  
24 a copy thereof, and the application shall contain the appropriate mailing address  
25 of the dealer. The director of the department of revenue is authorized to make  
26 all necessary rules and regulations for the administration of this subsection, and  
27 shall design all necessary forms required by this subsection. No rule or portion  
28 of a rule promulgated pursuant to the authority of this section shall become  
29 effective unless it has been promulgated pursuant to the provisions of chapter  
30 536. Any rule or portion of a rule, as that term is defined in section 536.010, that  
31 is created under the authority delegated in this section shall become effective  
32 only if it complies with and is subject to all of the provisions of chapter 536 and,  
33 if applicable, section 536.028. This section and chapter 536 are nonseverable and  
34 if any of the powers vested with the general assembly pursuant to chapter 536 to  
35 review, to delay the effective date, or to disapprove and annul a rule are  
36 subsequently held unconstitutional, then the grant of rulemaking authority and  
37 any rule proposed or adopted after August 28, 2005, shall be invalid and void.

301.301. 1. Any person replacing a stolen license plate tab **or window**  
2 **sticker** issued on or after January 1, 2009, may receive at no cost up to two [sets  
3 of two] license plate tabs **or window stickers** per year when the application for

4 the replacement tab **or sticker** is accompanied with a police report that is  
5 corresponding with the stolen license plate tab **or window sticker**.

6         2. Any person replacing a stolen license plate tab issued prior to January  
7 1, 2009, may receive at no cost up to two sets of two license plate tabs per year  
8 when the application for the replacement tab is accompanied with a notarized  
9 affidavit verifying that such license plate tab or tabs were stolen.

301.302. A citation shall not be issued to any person stopped by law  
2 enforcement for a missing license plate tab or [tabs] **window sticker** if such  
3 person indicates that the tab or [tabs have] **window sticker has** been stolen  
4 and a check on such person's vehicle registration reveals that the vehicle is  
5 properly registered. A law enforcement officer may issue a warning under these  
6 circumstances. In the event a citation is improperly issued to a person for a  
7 missing [tabs] **tab or window sticker** when the requirements of this section are  
8 met, any court costs shall be waived.

Section B. Section A of this act shall become effective January 1, 2012.

✓  
Bill

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