

SECOND REGULAR SESSION
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 843
96TH GENERAL ASSEMBLY

Reported from the Committee on Transportation, April 5, 2012, with recommendation that the Senate Committee Substitute do pass.

5901S.02C

TERRY L. SPIELER, Secretary.

AN ACT

To repeal section 301.140, RSMo, and to enact in lieu thereof one new section relating to temporary license plates.

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

Section A. Section 301.140, RSMo, is repealed and one new section
2 enacted in lieu thereof, to be known as section 301.140, to read as follows:

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

15 2. In the case of a transfer of ownership the original owner may register
16 another motor vehicle under the same number, upon the payment of a fee of two
17 dollars, if the motor vehicle is of horsepower, gross weight or (in the case of a
18 passenger-carrying commercial motor vehicle) seating capacity, not in excess of
19 that originally registered. When such motor vehicle is of greater horsepower,
20 gross weight or (in the case of a passenger-carrying commercial motor vehicle)

21 seating capacity, for which a greater fee is prescribed, applicant shall pay a
22 transfer fee of two dollars and a pro rata portion for the difference in fees. When
23 such vehicle is of less horsepower, gross weight or (in case of a passenger-carrying
24 commercial motor vehicle) seating capacity, for which a lesser fee is prescribed,
25 applicant shall not be entitled to a refund.

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

39 4. Upon the sale of a motor vehicle or trailer by a dealer, a buyer who has
40 made application for registration, by mail or otherwise, may operate the same for
41 a period of thirty days after taking possession thereof, if during such period the
42 motor vehicle or trailer shall have attached thereto, in the manner required by
43 section 301.130, number plates issued to the dealer. Upon application and
44 presentation of proof of financial responsibility as required under subsection 5 of
45 this section and satisfactory evidence that the buyer has applied for registration,
46 a dealer may furnish such number plates to the buyer for such temporary use. In
47 such event, the dealer shall require the buyer to deposit the sum of ten dollars
48 and fifty cents to be returned to the buyer upon return of the number plates as
49 a guarantee that said buyer will return to the dealer such number plates within
50 thirty days. The director shall issue a temporary permit authorizing the
51 operation of a motor vehicle or trailer by a buyer for not more than thirty days
52 of the date of purchase.

53 5. The temporary permit shall be made available by the director of
54 revenue and may be purchased from the department of revenue upon proof of
55 purchase of a motor vehicle or trailer for which the buyer has no registration
56 plate available for transfer and upon proof of financial responsibility, or from a

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

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

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

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

91 **9. An additional temporary license plate that matches an existing**
92 **or newly issued plate may be purchased by a motor vehicle owner to be**

93 placed in the vehicle's back window to serve as the visible plate when
94 a bicycle rack or other item obstructs the view of the actual plate. The
95 fee charged for the temporary plate shall be equal to the fee charged
96 for a temporary permit issued under subsection 5 of this section. The
97 newly produced third plate may only be used on the vehicle with the
98 matching plate, and the additional plate shall be clearly recognizable
99 as a third plate and only used for the purpose specified in this
100 subsection.

101 10. The director may promulgate all necessary rules and
102 regulations for the administration of this section, including
103 recommended placement of the temporary plate within the vehicle's
104 back window. Any rule or portion of a rule, as that term is defined in
105 section 536.010, that is created under the authority delegated in this
106 section shall become effective only if it complies with and is subject to
107 all of the provisions of chapter 536 and, if applicable, section
108 536.028. This section and chapter 536 are nonseverable and if any of
109 the powers vested with the general assembly pursuant to chapter 536
110 to review, to delay the effective date, or to disapprove and annul a rule
111 are subsequently held unconstitutional, then the grant of rulemaking
112 authority and any rule proposed or adopted after August 28, 2012, shall
113 be invalid and void.

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