

SECOND REGULAR SESSION

# SENATE BILL NO. 586

96TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR RICHARD.

Pre-filed December 22, 2011, and ordered printed.

TERRY L. SPIELER, Secretary.

4835S.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Section A. Section 136.055, RSMo, is repealed and one new section  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, and who receives no salary from the  
6 department of revenue, shall be authorized to collect from the party requiring  
7 such services additional fees as compensation in full and for all services rendered  
8 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;

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, that is created under the authority delegated in this subsection shall  
31 become effective only if it complies with and is subject to all of the provisions of  
32 chapter 536 and, if applicable, section 536.028. This section and chapter 536 are  
33 nonseverable and if any of the powers vested with the general assembly pursuant  
34 to chapter 536 to review, to delay the effective date, or to disapprove and annul  
35 a rule are subsequently held unconstitutional, then the grant of rulemaking  
36 authority and any rule proposed or adopted after August 28, 2009, shall be  
37 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 or those motor vehicle dealers authorized to collect and remit sales tax  
50 under subsection 8 of section 144.070.

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.