

FIRST REGULAR SESSION

SENATE BILL NO. 397

97TH GENERAL ASSEMBLY

INTRODUCED BY SENATORS HOLSMAN AND CURLS.

Read 1st time February 27, 2013, and ordered printed.

TERRY L. SPIELER, Secretary.

1849S.02I

AN ACT

To repeal sections 301.020 and 301.3031, RSMo, and to enact in lieu thereof three new sections relating to donations by motor vehicle registration applications to fund the National World War I Memorial at Liberty Memorial, with existing penalty provisions.

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

Section A. Sections 301.020 and 301.3031, RSMo, are repealed and three
2 new sections enacted in lieu thereof, to be known as sections 301.020, 301.3031,
3 and 301.3033, to read as follows:

301.020. 1. Every owner of a motor vehicle or trailer, which shall be
2 operated or driven upon the highways of this state, except as herein otherwise
3 expressly provided, shall annually file, by mail or otherwise, in the office of the
4 director of revenue, an application for registration on a blank to be furnished by
5 the director of revenue for that purpose containing:

6 (1) A brief description of the motor vehicle or trailer to be registered,
7 including the name of the manufacturer, the vehicle identification number, the
8 amount of motive power of the motor vehicle, stated in figures of horsepower and
9 whether the motor vehicle is to be registered as a motor vehicle primarily for
10 business use as defined in section 301.010;

11 (2) The name, the applicant's identification number and address of the
12 owner of such motor vehicle or trailer;

13 (3) The gross weight of the vehicle and the desired load in pounds if the
14 vehicle is a commercial motor vehicle or trailer.

15 2. If the vehicle is a motor vehicle primarily for business use as defined
16 in section 301.010 and if such vehicle is five years of age or less, the director of
17 revenue shall retain the odometer information provided in the vehicle inspection

18 report, and provide for prompt access to such information, together with the
19 vehicle identification number for the motor vehicle to which such information
20 pertains, for a period of five years after the receipt of such information. This
21 section shall not apply unless:

22 (1) The application for the vehicle's certificate of ownership was submitted
23 after July 1, 1989; and

24 (2) The certificate was issued pursuant to a manufacturer's statement of
25 origin.

26 3. If the vehicle is any motor vehicle other than a motor vehicle primarily
27 for business use, a recreational motor vehicle, motorcycle, motortricycle, bus or
28 any commercial motor vehicle licensed for over twelve thousand pounds and if
29 such motor vehicle is five years of age or less, the director of revenue shall retain
30 the odometer information provided in the vehicle inspection report, and provide
31 for prompt access to such information, together with the vehicle identification
32 number for the motor vehicle to which such information pertains, for a period of
33 five years after the receipt of such information. This subsection shall not apply
34 unless:

35 (1) The application for the vehicle's certificate of ownership was submitted
36 after July 1, 1990; and

37 (2) The certificate was issued pursuant to a manufacturer's statement of
38 origin.

39 4. If the vehicle qualifies as a reconstructed motor vehicle, motor change
40 vehicle, specially constructed motor vehicle, non-USA-std motor vehicle, as
41 defined in section 301.010, or prior salvage as referenced in section 301.573, the
42 owner or lienholder shall surrender the certificate of ownership. The owner shall
43 make an application for a new certificate of ownership, pay the required title fee,
44 and obtain the vehicle examination certificate required pursuant to subsection 9
45 of section 301.190. If an insurance company pays a claim on a salvage vehicle as
46 defined in section 301.010 and the owner retains the vehicle, as prior salvage, the
47 vehicle shall only be required to meet the examination requirements under and
48 pursuant to subsection 10 of section 301.190. Notarized bills of sale along with
49 a copy of the front and back of the certificate of ownership for all major
50 component parts installed on the vehicle and invoices for all essential parts which
51 are not defined as major component parts shall accompany the application for a
52 new certificate of ownership. If the vehicle is a specially constructed motor
53 vehicle, as defined in section 301.010, two pictures of the vehicle shall be

54 submitted with the application. If the vehicle is a kit vehicle, the applicant shall
55 submit the invoice and the manufacturer's statement of origin on the kit. If the
56 vehicle requires the issuance of a special number by the director of revenue or a
57 replacement vehicle identification number, the applicant shall submit the
58 required application and application fee. All applications required under this
59 subsection shall be submitted with any applicable taxes which may be due on the
60 purchase of the vehicle or parts. The director of revenue shall appropriately
61 designate "Reconstructed Motor Vehicle", "Motor Change Vehicle", "Non-USA-Std
62 Motor Vehicle", or "Specially Constructed Motor Vehicle" on the current and all
63 subsequent issues of the certificate of ownership of such vehicle.

64 5. Every insurance company that pays a claim for repair of a motor
65 vehicle which as the result of such repairs becomes a reconstructed motor vehicle
66 as defined in section 301.010 or that pays a claim on a salvage vehicle as defined
67 in section 301.010 and the owner is retaining the vehicle shall in writing notify
68 the owner of the vehicle, and in a first party claim, the lienholder if a lien is in
69 effect, that he is required to surrender the certificate of ownership, and the
70 documents and fees required pursuant to subsection 4 of this section to obtain a
71 prior salvage motor vehicle certificate of ownership or documents and fees as
72 otherwise required by law to obtain a salvage certificate of ownership, from the
73 director of revenue. The insurance company shall within thirty days of the
74 payment of such claims report to the director of revenue the name and address
75 of such owner, the year, make, model, vehicle identification number, and license
76 plate number of the vehicle, and the date of loss and payment.

77 6. Anyone who fails to comply with the requirements of this section shall
78 be guilty of a class B misdemeanor.

79 7. An applicant for registration may make a donation of one dollar to
80 promote a blindness education, screening and treatment program. The director
81 of revenue shall collect the donations and deposit all such donations in the state
82 treasury to the credit of the blindness education, screening and treatment
83 program fund established in section 192.935. Moneys in the blindness education,
84 screening and treatment program fund shall be used solely for the purposes
85 established in section 192.935, except that the department of revenue shall retain
86 no more than one percent for its administrative costs. The donation prescribed
87 in this subsection is voluntary and may be refused by the applicant for
88 registration at the time of issuance or renewal. The director shall inquire of each
89 applicant at the time the applicant presents the completed application to the

90 director whether the applicant is interested in making the one dollar donation
91 prescribed in this subsection.

92 8. An applicant for registration may make a donation of one dollar to
93 promote an organ donor program. The director of revenue shall collect the
94 donations and deposit all such donations in the state treasury to the credit of the
95 organ donor program fund as established in sections 194.297 to 194.304.
96 Moneys in the organ donor fund shall be used solely for the purposes established
97 in sections 194.297 to 194.304, except that the department of revenue shall retain
98 no more than one percent for its administrative costs. The donation prescribed
99 in this subsection is voluntary and may be refused by the applicant for
100 registration at the time of issuance or renewal. The director shall inquire of each
101 applicant at the time the applicant presents the completed application to the
102 director whether the applicant is interested in making the one dollar donation
103 prescribed in this subsection.

104 **9. An applicant for registration may make a donation of one**
105 **dollar to the World War I memorial trust fund established in section**
106 **301.3033. The director of revenue shall collect the donations and**
107 **deposit all such donations in the state treasury to the credit of the**
108 **World War I memorial trust fund as established in section**
109 **301.3033. Donations shall be used for the sole purpose of the**
110 **restoration, renovation and maintenance of a museum or memorial or**
111 **both dedicated to World War I in any home rule city with more than**
112 **four hundred thousand inhabitants and located in more than one**
113 **county, except that the department of revenue shall retain no more**
114 **than one percent for its administrative costs. The donation prescribed**
115 **in this subsection is voluntary and may be refused by the applicant for**
116 **registration at the time of issuance or renewal. The director shall**
117 **inquire of each applicant at the time the applicant presents the**
118 **completed application to the director whether the applicant is**
119 **interested in making the one dollar donation prescribed in this**
120 **subsection.**

301.3031. 1. Whenever a vehicle owner pursuant to this chapter makes
2 an application for a military license plate, the director of revenue shall notify the
3 applicant that the applicant may make a voluntary contribution of ten dollars to
4 the World War II memorial trust fund established pursuant to this section. The
5 director shall transfer all contributions collected to the state treasurer for credit

6 to and deposit in the trust fund.

7 2. There is established in the state treasury the "World War II Memorial
8 Trust Fund". The state treasurer shall credit to and deposit in the World War II
9 memorial trust fund all amounts received pursuant to this section, and any other
10 amounts which may be received from grants, gifts, bequests, the federal
11 government, or other sources granted or given for purposes of this section.

12 3. The Missouri veterans' commission shall administer the trust
13 fund. The trust fund shall be used to participate in the funding of the National
14 World War II Memorial to be located at a site dedicated on November 11, 1995,
15 on the National Mall in Washington, D.C.

16 4. The state treasurer shall invest moneys in the trust fund in the same
17 manner as surplus state funds are invested pursuant to section 30.260. All
18 earnings resulting from the investment of moneys in the trust fund shall be
19 credited to the trust fund. The general assembly may appropriate moneys
20 annually from the trust fund to the department of revenue to offset costs incurred
21 for collecting and transferring contributions pursuant to subsection 1 of this
22 section. The provisions of section 33.080 requiring all unexpended balances
23 remaining in various state funds to be transferred and placed to the credit of the
24 ordinary revenue fund of this state at the end of each biennium shall not apply
25 to the trust fund.

26 **5. On December 31, 2013, all moneys in the World War II**
27 **memorial trust fund shall be transferred to the World War I memorial**
28 **trust fund established in section 301.3033 to be used for the sole**
29 **purpose of the restoration, renovation, and maintenance of a memorial**
30 **or museum or both dedicated to World War I in any home rule city with**
31 **more than four hundred thousand inhabitants and located in more than**
32 **one county. Following such transfer, the World War II memorial trust**
33 **fund shall be abolished and the provisions of this section shall expire**
34 **on January 1, 2014.**

301.3033. 1. There is established in the state treasury the "World
2 **War I Memorial Trust Fund". The state treasurer shall credit to and**
3 **deposit in the World War I memorial trust fund all amounts received**
4 **pursuant to subsection 9 of section 301.020, the proceeds transferred**
5 **from the World War II memorial trust fund on December 31, 2013, and**
6 **any other amounts which may be received from grants, gifts, bequests,**
7 **the federal government, or other sources granted or given for purposes**

8 of this section.

9 2. The Missouri veterans' commission shall administer the trust
10 fund established pursuant to this section. The trust fund shall be used
11 for the sole purpose of the restoration, renovation, and maintenance of
12 a memorial or museum or both dedicated to World War I in any home
13 rule city with more than four hundred thousand inhabitants and
14 located in more than one county.

15 3. The state treasurer shall invest moneys in the trust fund in the
16 same manner as surplus state funds are invested pursuant to section
17 30.260. All earnings resulting from the investment of moneys in the
18 trust fund shall be credited to the trust fund. The provisions of section
19 33.080 requiring all unexpended balances remaining in various state
20 funds to be transferred and placed to the credit of the ordinary revenue
21 fund of this state at the end of each biennium shall not apply to the
22 trust fund.

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Bill

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