

# SENATE AMENDMENT NO. \_\_\_\_\_

Offered by \_\_\_\_\_ of \_\_\_\_\_

Amend \_\_\_\_\_ Senate Bill No. 389, Page 3, Section 34.040, Line 69,

2 by inserting after all of said line the following:

3 "136.055. 1. Any person who is selected or appointed by  
4 the state director of revenue as provided in subsection 2 of this  
5 section to act as an agent of the department of revenue, whose  
6 duties shall be the processing of motor vehicle title and  
7 registration transactions and the collection of sales and use  
8 taxes when required under sections 144.070 and 144.440, and who  
9 receives no salary from the department of revenue, shall be  
10 authorized to collect from the party requiring such services  
11 additional fees as compensation in full and for all services  
12 rendered on the following basis:

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

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

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

1 a period exceeding three years;

2 (4) For each notice of lien processed--two dollars and  
3 fifty cents;

4 (5) No notary fee or other fee or additional charge shall  
5 be paid or collected except for electronic telephone transmission  
6 reception--two dollars.

7 2. The director of revenue shall award fee office contracts  
8 under this section through a competitive bidding process. The  
9 competitive bidding process shall give priority to organizations  
10 and entities that are exempt from taxation under Section  
11 501(c) (3) [or], 501(c) (6), or 501(c) (4), except those civic  
12 organizations that would be considered action organizations under  
13 26 C.F.R. Section 1.501(c) (3)-1(c) (3), of the Internal Revenue  
14 Code of 1986, as amended, with special consideration given to  
15 those organizations and entities that reinvest a minimum of  
16 seventy-five percent of the net proceeds to charitable  
17 organizations in Missouri, and political subdivisions, including  
18 but not limited to, municipalities, counties, and fire protection  
19 districts. The director of the department of revenue may  
20 promulgate rules and regulations necessary to carry out the  
21 provisions of this subsection. Any rule or portion of a rule, as  
22 that term is defined in section 536.010, that is created under  
23 the authority delegated in this subsection shall become effective  
24 only if it complies with and is subject to all of the provisions  
25 of chapter 536 and, if applicable, section 536.028. This section  
26 and chapter 536 are nonseverable and if any of the powers vested  
27 with the general assembly pursuant to chapter 536 to review, to  
28 delay the effective date, or to disapprove and annul a rule are  
29 subsequently held unconstitutional, then the grant of rulemaking

1 authority and any rule proposed or adopted after August 28, 2009,  
2 shall be invalid and void.

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

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

9 5. Any person acting as agent of the department of revenue  
10 for the sale and issuance of registrations, licenses, and other  
11 documents related to motor vehicles shall have an insurable  
12 interest in all license plates, licenses, tabs, forms and other  
13 documents held on behalf of the department.

14 6. The fees authorized by this section shall not be  
15 collected by motor vehicle dealers acting as agents of the  
16 department of revenue under section 32.095 or those motor vehicle  
17 dealers authorized to collect and remit sales tax under  
18 subsection 8 of section 144.070.

19 7. Notwithstanding any other provision of law to the  
20 contrary, the state auditor may audit all records maintained and  
21 established by the fee office in the same manner as the auditor  
22 may audit any agency of the state, and the department shall  
23 ensure that this audit requirement is a necessary condition for  
24 the award of all fee office contracts. No confidential records  
25 shall be divulged in such a way to reveal personally identifiable  
26 information."; and

27 Further amend the title and enacting clause accordingly.