

FIRST REGULAR SESSION

SENATE BILL NO. 114

100TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR CRAWFORD.

Pre-filed December 1, 2018, and ordered printed.

ADRIANE D. CROUSE, Secretary.

0230S.02I

AN ACT

To repeal section 136.055, RSMo, and to enact in lieu thereof one new section relating to motor vehicle license 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Section A. Section 136.055, RSMo, is repealed and one new section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] **transferred, six** dollars [and fifty cents] and [seven]
11 **twelve** dollars for those licenses sold or biennially renewed pursuant to section
12 301.147;

13 (2) For each application or transfer of [title—two] **title, six** dollars [and
14 fifty cents];

15 (3) For each instruction permit, nondriver license, chauffeur's, operator's
16 or driver's license issued for a period of three years or [less—two] **less, six**
17 dollars [and fifty cents] and [five] **twelve** dollars for licenses or instruction
18 permits issued or renewed for a period exceeding three years;

19 (4) For each notice of lien [processed—two] **processed, six** dollars [and

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

20 fifty cents];

21 (5) [No] Notary fee or [other fee or additional charge shall be paid or
22 collected except for] electronic [telephone] transmission [reception—two] **per**
23 **processing, two** dollars.

24 2. The director of revenue shall award fee office contracts under this
25 section through a competitive bidding process. The competitive bidding process
26 shall give priority to organizations and entities that are exempt from taxation
27 under Section 501(c)(3), 501(c)(6), or 501(c)(4), except those civic organizations
28 that would be considered action organizations under 26 C.F.R. Section 1.501
29 (c)(3)-1(c)(3), of the Internal Revenue Code of 1986, as amended, with special
30 consideration given to those organizations and entities that reinvest a minimum
31 of seventy-five percent of the net proceeds to charitable organizations in Missouri,
32 and political subdivisions, including but not limited to, municipalities, counties,
33 and fire protection districts. The director of the department of revenue may
34 promulgate rules and regulations necessary to carry out the provisions of this
35 subsection. Any rule or portion of a rule, as that term is defined in section
36 536.010, that is created under the authority delegated in this subsection shall
37 become effective only if it complies with and is subject to all of the provisions of
38 chapter 536 and, if applicable, section 536.028. This section and chapter 536 are
39 nonseverable and if any of the powers vested with the general assembly pursuant
40 to chapter 536 to review, to delay the effective date, or to disapprove and annul
41 a rule are subsequently held unconstitutional, then the grant of rulemaking
42 authority and any rule proposed or adopted after August 28, 2009, shall be
43 invalid and void.

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

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

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

53 6. The fees authorized by this section shall not be collected by motor
54 vehicle dealers acting as agents of the department of revenue under section
55 32.095 or those motor vehicle dealers authorized to collect and remit sales tax

56 under subsection 8 of section 144.070.

57 7. Notwithstanding any other provision of law to the contrary, the state
58 auditor may audit all records maintained and established by the fee office in the
59 same manner as the auditor may audit any agency of the state, and the
60 department shall ensure that this audit requirement is a necessary condition for
61 the award of all fee office contracts. No confidential records shall be divulged in
62 such a way to reveal personally identifiable information.

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Unofficial

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