

SECOND REGULAR SESSION

SENATE BILL NO. 1503

102ND GENERAL ASSEMBLY

INTRODUCED BY SENATOR WILLIAMS.

5980S.01H

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Section A. Section 301.140, RSMo, is repealed and one new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

301.140. 1. Upon the transfer of ownership of any
2 motor vehicle or trailer, the certificate of registration
3 and the right to use the number plates shall expire and the
4 number plates shall be removed by the owner at the time of
5 the transfer of possession, and it shall be unlawful for any
6 person other than the person to whom such number plates were
7 originally issued to have the same in his or her possession
8 whether in use or not, unless such possession is solely for
9 charitable purposes; except that the buyer of a motor
10 vehicle or trailer who trades in a motor vehicle or trailer
11 may attach the license plates from the traded-in motor
12 vehicle or trailer to the newly purchased motor vehicle or
13 trailer. The operation of a motor vehicle with such
14 transferred plates shall be lawful for no more than thirty
15 days, or no more than ninety days if the dealer is selling
16 the motor vehicle under the provisions of section 301.213,
17 or no more than sixty days if the dealer is selling the
18 motor vehicle under the provisions of subsection 5 of

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

19 section 301.210. As used in this subsection, the term
20 "trade-in motor vehicle or trailer" shall include any single
21 motor vehicle or trailer sold by the buyer of the newly
22 purchased vehicle or trailer, as long as the license plates
23 for the trade-in motor vehicle or trailer are still valid.

24 2. In the case of a transfer of ownership the original
25 owner may register another motor vehicle under the same
26 number, upon the payment of a fee of two dollars, if the
27 motor vehicle is of horsepower, gross weight or (in the case
28 of a passenger-carrying commercial motor vehicle) seating
29 capacity, not in excess of that originally registered. When
30 such motor vehicle is of greater horsepower, gross weight or
31 (in the case of a passenger-carrying commercial motor
32 vehicle) seating capacity, for which a greater fee is
33 prescribed, the applicant shall pay a transfer fee of two
34 dollars and a pro rata portion for the difference in fees.
35 When such vehicle is of less horsepower, gross weight or (in
36 case of a passenger-carrying commercial motor vehicle)
37 seating capacity, for which a lesser fee is prescribed, the
38 applicant shall not be entitled to a refund.

39 3. License plates may be transferred from a motor
40 vehicle which will no longer be operated to a newly
41 purchased motor vehicle by the owner of such vehicles. The
42 owner shall pay a transfer fee of two dollars if the newly
43 purchased vehicle is of horsepower, gross weight or (in the
44 case of a passenger-carrying commercial motor vehicle)
45 seating capacity, not in excess of that of the vehicle which
46 will no longer be operated. When the newly purchased motor
47 vehicle is of greater horsepower, gross weight or (in the
48 case of a passenger-carrying commercial motor vehicle)
49 seating capacity, for which a greater fee is prescribed, the
50 applicant shall pay a transfer fee of two dollars and a pro

51 rata portion of the difference in fees. When the newly
52 purchased vehicle is of less horsepower, gross weight or (in
53 the case of a passenger-carrying commercial motor vehicle)
54 seating capacity, for which a lesser fee is prescribed, the
55 applicant shall not be entitled to a refund.

56 4. The director of the department of revenue shall
57 have authority to produce or allow others to produce a
58 weather resistant, nontearing temporary permit authorizing
59 the operation of a motor vehicle or trailer by a buyer for
60 not more than thirty days, or no more than ninety days if
61 issued by a dealer selling the motor vehicle under the
62 provisions of section 301.213, or no more than sixty days if
63 issued by a dealer selling the motor vehicle under the
64 provisions of subsection 5 of section 301.210, from the date
65 of purchase. The temporary permit authorized under this
66 section may be purchased by the purchaser of a motor vehicle
67 or trailer from the central office of the department of
68 revenue or from an authorized agent of the department of
69 revenue upon proof of purchase of a motor vehicle or trailer
70 for which the buyer has no registration plate available for
71 transfer and upon proof of financial responsibility, or from
72 a motor vehicle dealer upon purchase of a motor vehicle or
73 trailer for which the buyer has no registration plate
74 available for transfer, or from a motor vehicle dealer upon
75 purchase of a motor vehicle or trailer for which the buyer
76 has registered and is awaiting receipt of registration
77 plates. The director of the department of revenue or a
78 producer authorized by the director of the department of
79 revenue may make temporary permits available to registered
80 dealers in this state, authorized agents of the department
81 of revenue or the department of revenue. The price paid by
82 a motor vehicle dealer, an authorized agent of the

83 department of revenue or the department of revenue for a
84 temporary permit shall not exceed five dollars for each
85 permit. The director of the department of revenue shall
86 direct motor vehicle dealers and authorized agents to obtain
87 temporary permits from an authorized producer. Amounts
88 received by the director of the department of revenue for
89 temporary permits shall constitute state revenue; however,
90 amounts received by an authorized producer other than the
91 director of the department of revenue shall not constitute
92 state revenue and any amounts received by motor vehicle
93 dealers or authorized agents for temporary permits purchased
94 from a producer other than the director of the department of
95 revenue shall not constitute state revenue. In no event
96 shall revenues from the general revenue fund or any other
97 state fund be utilized to compensate motor vehicle dealers
98 or other producers for their role in producing temporary
99 permits as authorized under this section. Amounts that do
100 not constitute state revenue under this section shall also
101 not constitute fees for registration or certificates of
102 title to be collected by the director of the department of
103 revenue under section 301.190. No motor vehicle dealer,
104 authorized agent or the department of revenue shall charge
105 more than five dollars for each permit issued. The permit
106 shall be valid for a period of thirty days, or no more than
107 ninety days if issued by a dealer selling the motor vehicle
108 under the provisions of section 301.213, or no more than
109 sixty days if issued by a dealer selling the motor vehicle
110 under the provisions of subsection 5 of section 301.210,
111 from the date of purchase of a motor vehicle or trailer, or
112 from the date of sale of the motor vehicle or trailer by a
113 motor vehicle dealer for which the purchaser obtains a
114 permit as set out above. No permit shall be issued for a

115 vehicle under this section unless the buyer shows proof of
116 financial responsibility. Each temporary permit issued
117 shall be securely fastened to the back or rear of the motor
118 vehicle in a manner and place on the motor vehicle
119 consistent with registration plates so that all parts and
120 qualities of the temporary permit thereof shall be plainly
121 and clearly visible, reasonably clean and are not impaired
122 in any way.

123 5. The permit shall be issued on a form prescribed by
124 the director of the department of revenue and issued only
125 for the applicant's temporary operation of the motor vehicle
126 or trailer purchased to enable the applicant to temporarily
127 operate the motor vehicle while proper title and
128 registration plates are being obtained, or while awaiting
129 receipt of registration plates, and shall be displayed on no
130 other motor vehicle. Temporary permits issued pursuant to
131 this section shall not be transferable or renewable, shall
132 not be valid upon issuance of proper registration plates for
133 the motor vehicle or trailer, and shall be returned to the
134 department or to the department's agent upon the issuance of
135 such proper registration plates. Any temporary permit
136 returned to the department or to the department's agent
137 shall be immediately destroyed. The provisions of this
138 subsection shall not apply to temporary permits issued for
139 commercial motor vehicles licensed in excess of twenty-four
140 thousand pounds gross weight. The director of the
141 department of revenue shall determine the size, material,
142 design, numbering configuration, construction, and color of
143 the permit.

144 **6. The director of the department of revenue, at the**
145 **request of an applicant, shall reissue one time, and thereby**
146 **extend the use of by thirty days, a temporary permit**

147 **previously and legally issued for a motor vehicle or**
148 **trailer.** The director of the department of revenue, at his
149 or her discretion, shall **also** have the authority to reissue,
150 and thereby extend the use of, a temporary permit previously
151 and legally issued for a motor vehicle or trailer while
152 proper title and registration are being obtained.

153 [6.] 7. Every motor vehicle dealer that issues
154 temporary permits shall keep, for inspection by proper
155 officers, an accurate record of each permit issued by
156 recording the permit number, the motor vehicle dealer's
157 number, buyer's name and address, the motor vehicle's year,
158 make, and manufacturer's vehicle identification number, and
159 the permit's date of issuance and expiration date. Upon the
160 issuance of a temporary permit by either the central office
161 of the department of revenue, a motor vehicle dealer or an
162 authorized agent of the department of revenue, the director
163 of the department of revenue shall make the information
164 associated with the issued temporary permit immediately
165 available to the law enforcement community of the state of
166 Missouri.

167 [7.] 8. Upon the transfer of ownership of any
168 currently registered motor vehicle wherein the owner cannot
169 transfer the license plates due to a change of motor vehicle
170 category, the owner may surrender the license plates issued
171 to the motor vehicle and receive credit for any unused
172 portion of the original registration fee against the
173 registration fee of another motor vehicle. Such credit
174 shall be granted based upon the date the license plates are
175 surrendered. No refunds shall be made on the unused portion
176 of any license plates surrendered for such credit.

177 [8.] 9. An additional temporary license plate produced
178 in a manner and of materials determined by the director to

179 be the most cost-effective means of production with a
180 configuration that matches an existing or newly issued plate
181 may be purchased by a motor vehicle owner to be placed in
182 the interior of the vehicle's rear window such that the
183 driver's view out of the rear window is not obstructed and
184 the plate configuration is clearly visible from the outside
185 of the vehicle to serve as the visible plate when a bicycle
186 rack or other item obstructs the view of the actual plate.
187 Such temporary plate is only authorized for use when the
188 matching actual plate is affixed to the vehicle in the
189 manner prescribed in subsection 5 of section 301.130. The
190 fee charged for the temporary plate shall be equal to the
191 fee charged for a temporary permit issued under subsection 4
192 of this section. Replacement temporary plates authorized in
193 this subsection may be issued as needed upon the payment of
194 a fee equal to the fee charged for a temporary permit under
195 subsection 4 of this section. The newly produced third
196 plate may only be used on the vehicle with the matching
197 plate, and the additional plate shall be clearly
198 recognizable as a third plate and only used for the purpose
199 specified in this subsection.

200 [9.] 10. Notwithstanding the provisions of section
201 301.217, the director may issue a temporary permit to an
202 individual who possesses a salvage motor vehicle which
203 requires an inspection under subsection 9 of section
204 301.190. The operation of a salvage motor vehicle for which
205 the permit has been issued shall be limited to the most
206 direct route from the residence, maintenance, or storage
207 facility of the individual in possession of such motor
208 vehicle to the nearest authorized inspection facility and
209 return to the originating location. Notwithstanding any
210 other requirements for the issuance of a temporary permit

211 under this section, an individual obtaining a temporary
212 permit for the purpose of operating a motor vehicle to and
213 from an examination facility as prescribed in this
214 subsection shall also purchase the required motor vehicle
215 examination form which is required to be completed for an
216 examination under subsection 9 of section 301.190 and
217 provide satisfactory evidence that such vehicle has passed a
218 motor vehicle safety inspection for such vehicle as required
219 in section 307.350.

220 [10.] 11. The director of the department of revenue
221 may promulgate all necessary rules and regulations for the
222 administration of this section. Any rule or portion of a
223 rule, as that term is defined in section 536.010, that is
224 created under the authority delegated in this section shall
225 become effective only if it complies with and is subject to
226 all of the provisions of chapter 536 and, if applicable,
227 section 536.028. This section and chapter 536 are
228 nonseverable and if any of the powers vested with the
229 general assembly pursuant to chapter 536 to review, to delay
230 the effective date, or to disapprove and annul a rule are
231 subsequently held unconstitutional, then the grant of
232 rulemaking authority and any rule proposed or adopted after
233 August 28, 2012, shall be invalid and void.

234 [11. The repeal and reenactment of this section shall
235 become effective on the date the department of revenue or a
236 producer authorized by the director of the department of
237 revenue begins producing temporary permits described in
238 subsection 4 of such section, or on July 1, 2013, whichever
239 occurs first. If the director of revenue or a producer
240 authorized by the director of the department of revenue
241 begins producing temporary permits prior to July 1, 2013,

242 the director of the department of revenue shall notify the
243 revisor of statutes of such fact.]

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