

SECOND REGULAR SESSION

SENATE BILL NO. 1048

93RD GENERAL ASSEMBLY

INTRODUCED BY SENATOR SHIELDS.

Read 1st time February 13, 2006, and ordered printed.

TERRY L. SPIELER, Secretary.

5059S.011

AN ACT

To repeal section 301.140, RSMo, and to enact in lieu thereof one new section relating to refund of motor vehicle registration fees.

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Section A. Section 301.140, RSMo, is repealed and one new section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

301.140. 1. Upon the transfer of ownership of any motor vehicle or trailer,
2 the certificate of registration and the right to use the number plates shall expire
3 and the number plates shall be removed by the owner at the time of the transfer
4 of possession, and it shall be unlawful for any person other than the person to
5 whom such number plates were originally issued to have the same in his or her
6 possession whether in use or not; except that the buyer of a motor vehicle or
7 trailer who trades in a motor vehicle or trailer may attach the license plates from
8 the traded-in motor vehicle or trailer to the newly purchased motor vehicle or
9 trailer. The operation of a motor vehicle with such transferred plates shall be
10 lawful for no more than thirty days. As used in this subsection, the term
11 "trade-in motor vehicle or trailer" shall include any single motor vehicle or trailer
12 sold by the buyer of the newly purchased vehicle or trailer, as long as the license
13 plates for the trade-in motor vehicle or trailer are still valid.

14 2. In the case of a transfer of ownership the original owner may register
15 another motor vehicle under the same number, upon the payment of a fee of two
16 dollars, if the motor vehicle is of horsepower, gross weight or (in the case of a
17 passenger-carrying commercial motor vehicle) seating capacity, not in excess of
18 that originally registered. When such motor vehicle is of greater horsepower,
19 gross weight or (in the case of a passenger-carrying commercial motor vehicle)
20 seating capacity, for which a greater fee is prescribed, applicant shall pay a

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

21 transfer fee of two dollars and a pro rata portion for the difference in fees. When
22 such vehicle is of less horsepower, gross weight or (in case of a passenger-carrying
23 commercial motor vehicle) seating capacity, for which a lesser fee is prescribed,
24 applicant shall not be entitled to a refund.

25 3. License plates may be transferred from a motor vehicle which will no
26 longer be operated to a newly purchased motor vehicle by the owner of such
27 vehicles. The owner shall pay a transfer fee of two dollars if the newly purchased
28 vehicle is of horsepower, gross weight or (in the case of a passenger-carrying
29 commercial motor vehicle) seating capacity, not in excess of that of the vehicle
30 which will no longer be operated. When the newly purchased motor vehicle is of
31 greater horsepower, gross weight or (in the case of a passenger-carrying
32 commercial motor vehicle) seating capacity, for which a greater fee is prescribed,
33 the applicant shall pay a transfer fee of two dollars and a pro rata portion of the
34 difference in fees. When the newly purchased vehicle is of less horsepower, gross
35 weight or (in the case of a passenger-carrying commercial motor vehicle) seating
36 capacity, for which a lesser fee is prescribed, the applicant shall not be entitled
37 to a refund.

38 4. Upon the sale of a motor vehicle or trailer by a dealer, a buyer who has
39 made application for registration, by mail or otherwise, may operate the same for
40 a period of thirty days after taking possession thereof, if during such period the
41 motor vehicle or trailer shall have attached thereto, in the manner required by
42 section 301.130, number plates issued to the dealer. Upon application and
43 presentation of satisfactory evidence that the buyer has applied for registration,
44 a dealer may furnish such number plates to the buyer for such temporary use. In
45 such event, the dealer shall require the buyer to deposit the sum of ten dollars
46 and fifty cents to be returned to the buyer upon return of the number plates as
47 a guarantee that said buyer will return to the dealer such number plates within
48 thirty days. The director shall issue a temporary permit or paper plate
49 authorizing the operation of a motor vehicle or trailer by a buyer for not more
50 than thirty days of the date of purchase.

51 5. The temporary permit or paper plate shall be made available by the
52 director of revenue and may be purchased from the department of revenue upon
53 proof of purchase of a motor vehicle or trailer for which the buyer has no
54 registration plate available for transfer, or from a dealer upon purchase of a
55 motor vehicle or trailer for which the buyer has no registration plate available for
56 transfer. The director shall make temporary plates or permits available to
57 registered dealers in this state in sets of ten plates or permits. The fee for the
58 temporary permit or plate shall be seven dollars and fifty cents for each permit
59 or plate issued. No dealer shall charge more than seven dollars and fifty cents

60 for each permit issued. The permit or plate shall be valid for a period of thirty
61 days from the date of purchase of a motor vehicle or trailer, or from the date of
62 sale of the motor vehicle or trailer by a dealer for which the purchaser obtains a
63 permit or plate as set out above.

64 6. The permit or plate shall be issued on a form prescribed by the director
65 and issued only for the applicant's use in the operation of the motor vehicle or
66 trailer purchased to enable the applicant to legally operate the vehicle while
67 proper title and registration plate are being obtained, and shall be displayed on
68 no other vehicle. Permits or paper plates issued pursuant to this section shall
69 not be transferable or renewable and shall not be valid upon issuance of proper
70 registration plates for the motor vehicle or trailer. The director shall determine
71 the size and numbering configuration, construction, and color of the permit and
72 plate.

73 7. The dealer or authorized agent shall insert the date of issuance and
74 expiration date, year, make, and manufacturer's number of vehicle on the paper
75 plate or permit when issued to the buyer. The dealer shall also insert such
76 dealer's number on the paper plate. Every dealer that issues a temporary permit
77 or paper plate shall keep, for inspection of proper officers, a correct record of each
78 permit or plate issued by recording the permit or plate number, buyer's name and
79 address, year, make, manufacturer's number of vehicle on which the permit or
80 plate is to be used, and the date of issuance.

81 8. Upon the transfer of ownership of any currently registered motor
82 vehicle wherein the owner cannot transfer the license plates due to a change of
83 vehicle category, the owner may surrender the license plates issued to the motor
84 vehicle and receive credit for any unused portion of the original registration fee
85 against the registration fee of another motor vehicle. Such credit shall be granted
86 based upon the date the license plates are surrendered. [No refunds shall be
87 made on the unused portion of any license plates surrendered for such credit.] **If**
88 **a motor vehicle is sold and is not being replaced, then any unused**
89 **portion of the original registration fee may be refunded upon surrender**
90 **of the license plates. Such refund shall be granted based upon the date**
91 **the license plates are surrendered.**

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