

SECOND REGULAR SESSION

SENATE BILL NO. 752

93RD GENERAL ASSEMBLY

INTRODUCED BY SENATOR GRAHAM.

Pre-filed December 12, 2005, and ordered printed.

TERRY L. SPIELER, Secretary.

3854S.01I

AN ACT

To repeal section 301.130, RSMo, and to enact in lieu thereof one new section relating to license plate covers.

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

Section A. Section 301.130, RSMo, is repealed and one new section
2 enacted in lieu thereof, to be known as section 301.130, to read as follows:

301.130. 1. The director of revenue, upon receipt of a proper application
2 for registration, required fees and any other information which may be required
3 by law, shall issue to the applicant a certificate of registration in such manner
4 and form as the director of revenue may prescribe and a set of license plates, or
5 other evidence of registration, as provided by this section. Each set of license
6 plates shall bear the name or abbreviated name of this state, the words
7 "SHOW-ME STATE", the month and year in which the registration shall expire,
8 and an arrangement of numbers or letters, or both, as shall be assigned from year
9 to year by the director of revenue. The plates shall also contain fully reflective
10 material with a common color scheme and design for each type of license plate
11 issued pursuant to this chapter. The plates shall be clearly visible at night, and
12 shall be aesthetically attractive. Special plates for qualified disabled veterans
13 will have the "DISABLED VETERAN" wording on the license plates in preference
14 to the words "SHOW-ME STATE" and special plates for members of the national
15 guard will have the "NATIONAL GUARD" wording in preference to the words
16 "SHOW-ME STATE".

17 2. The arrangement of letters and numbers of license plates shall be

18 uniform throughout each classification of registration. The director may provide
19 for the arrangement of the numbers in groups or otherwise, and for other
20 distinguishing marks on the plates.

21 3. All property-carrying commercial motor vehicles to be registered at a
22 gross weight in excess of twelve thousand pounds, all passenger-carrying
23 commercial motor vehicles, local transit buses, school buses, trailers, semitrailers,
24 motorcycles, motortricycles, motorscooters and driveaway vehicles shall be
25 registered with the director of revenue as provided for in subsection 3 of section
26 301.030, or with the state highways and transportation commission as otherwise
27 provided in this chapter, but only one license plate shall be issued for each such
28 vehicle except as provided in this subsection. The applicant for registration of
29 any property-carrying commercial motor vehicle may request and be issued two
30 license plates for such vehicle, and if such plates are issued the director of
31 revenue may assess and collect an additional charge from the applicant in an
32 amount not to exceed the fee prescribed for personalized license plates in
33 subsection 1 of section 301.144.

34 4. The plates issued to manufacturers and dealers shall bear the letter
35 "D" preceding the number, and the director may place upon the plates other
36 letters or marks to distinguish commercial motor vehicles and trailers and other
37 types of motor vehicles.

38 5. No motor vehicle or trailer shall be operated on any highway of this
39 state unless it shall have displayed thereon the license plate or set of license
40 plates issued by the director of revenue or the state highways and transportation
41 commission and authorized by section 301.140. Each such plate shall be securely
42 fastened to the motor vehicle in a manner so that all parts thereof shall be
43 plainly visible and reasonably clean so that the reflective qualities thereof are not
44 impaired. **Each such plate may be encased in a transparent cover so**
45 **long as the plate is plainly visible and its reflective qualities are not**
46 **impaired.** License plates shall be fastened to all motor vehicles except trucks,
47 tractors, truck tractors or truck-tractors licensed in excess of twelve thousand
48 pounds on the front and rear of such vehicles not less than eight nor more than
49 forty-eight inches above the ground, with the letters and numbers thereon right
50 side up. The license plates on trailers, motorcycles, motortricycles and
51 motorscooters shall be displayed on the rear of such vehicles, with the letters and
52 numbers thereon right side up. The license plate on buses, other than school
53 buses, and on trucks, tractors, truck tractors or truck-tractors licensed in excess

54 of twelve thousand pounds shall be displayed on the front of such vehicles not
55 less than eight nor more than forty-eight inches above the ground, with the
56 letters and numbers thereon right side up or if two plates are issued for the
57 vehicle pursuant to subsection 3 of this section, displayed in the same manner on
58 the front and rear of such vehicles. The license plate or plates authorized by
59 section 301.140, when properly attached, shall be prima facie evidence that the
60 required fees have been paid.

61 6. (1) The director of revenue shall issue annually or biennially a tab or
62 set of tabs as provided by law as evidence of the annual payment of registration
63 fees and the current registration of a vehicle in lieu of the set of
64 plates. Beginning January 1, 2010, the director may prescribe any additional
65 information recorded on the tab or tabs to ensure that the tab or tabs positively
66 correlate with the license plate or plates issued by the department of revenue for
67 such vehicle. Such tabs shall be produced in each license bureau office.

68 (2) The vehicle owner to whom a tab or set of tabs is issued shall affix and
69 display such tab or tabs in the designated area of the license plate, no more than
70 one per plate.

71 (3) A tab or set of tabs issued by the director of revenue when attached
72 to a vehicle in the prescribed manner shall be prima facie evidence that the
73 registration fee for such vehicle has been paid.

74 (4) Except as otherwise provided in this section, the director of revenue
75 shall issue plates for a period of at least six years.

76 (5) For those commercial motor vehicles and trailers registered pursuant
77 to section 301.041, the plate issued by the highways and transportation
78 commission shall be a permanent nonexpiring license plate for which no tabs
79 shall be issued. Nothing in this section shall relieve the owner of any vehicle
80 permanently registered pursuant to this section from the obligation to pay the
81 annual registration fee due for the vehicle. The permanent nonexpiring license
82 plate shall be returned to the highways and transportation commission upon the
83 sale or disposal of the vehicle by the owner to whom the permanent nonexpiring
84 license plate is issued, or the plate may be transferred to a replacement
85 commercial motor vehicle when the owner files a supplemental application with
86 the Missouri highways and transportation commission for the registration of such
87 replacement commercial motor vehicle. Upon payment of the annual registration
88 fee, the highways and transportation commission shall issue a certificate of
89 registration or other suitable evidence of payment of the annual fee, and such

90 evidence of payment shall be carried at all times in the vehicle for which it is
91 issued.

92 (6) Upon the sale or disposal of any vehicle permanently registered under
93 this section, or upon the termination of a lease of any such vehicle, the permanent
94 nonexpiring plate issued for such vehicle shall be returned to the highways and
95 transportation commission and shall not be valid for operation of such vehicle, or
96 the plate may be transferred to a replacement vehicle when the owner files a
97 supplemental application with the Missouri highways and transportation
98 commission for the registration of such replacement vehicle. If a vehicle which
99 is permanently registered under this section is sold, wrecked or otherwise
100 disposed of, or the lease terminated, the registrant shall be given credit for any
101 unused portion of the annual registration fee when the vehicle is replaced by the
102 purchase or lease of another vehicle during the registration year.

103 7. The director of revenue and the highways and transportation
104 commission may prescribe rules and regulations for the effective administration
105 of this section. No rule or portion of a rule promulgated under the authority of
106 this section shall become effective unless it has been promulgated pursuant to the
107 provisions of section 536.024, RSMo.

108 8. Notwithstanding the provisions of any other law to the contrary, owners
109 of motor vehicles other than apportioned motor vehicles or commercial motor
110 vehicles licensed in excess of eighteen thousand pounds gross weight may apply
111 for special personalized license plates. Vehicles licensed for eighteen thousand
112 pounds that display special personalized license plates shall be subject to the
113 provisions of subsections 1 and 2 of section 301.030.

114 9. Commencing January 1, 2009, the director of revenue shall cause to be
115 reissued new license plates of such design as directed by the director consistent
116 with the terms, conditions, and provisions of this section and this
117 chapter. Except as otherwise provided in this section, in addition to all other fees
118 required by law, applicants for registration of vehicles with license plates that
119 expire between January 1, 2009, and December 31, 2011, applicants for
120 registration of trailers or semitrailers with license plates that expire between
121 January 1, 2009, and December 31, 2011, and applicants for registration of
122 vehicles that are to be issued new license plates shall pay an additional fee, based
123 on the actual cost of the reissuance, to cover the cost of the newly reissued plates
124 required by this subsection. The additional fee prescribed in this subsection shall
125 not be charged to persons receiving special license plates issued under section

126 301.073 or 301.443. Historic motor vehicle license plates registered pursuant to
127 section 301.131 and specialized license plates are exempt from the provisions of
128 this subsection.

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Bill

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