

FIRST REGULAR SESSION

SENATE BILL NO. 580

94TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR STOUFFER.

Read 1st time February 26, 2007, and ordered printed.

TERRY L. SPIELER, Secretary.

2291S.03I

AN ACT

To amend chapter 302, RSMo, by adding thereto one new section relating to restricted license plates.

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

Section A. Chapter 302, RSMo, is amended by adding thereto one new section, to be known as section 302.305, to read as follows:

302.305. 1. If a person's driver's license has been suspended, revoked, or disqualified for a period of not less than sixty days or if such person's driver's license or privileges have been denied for alcohol or manslaughter violations under the provisions of this chapter or chapter 577, RSMo, then such person shall immediately surrender his or her current license plates for any motor vehicle registered solely or jointly in the name of such person to the director of the department of revenue for destruction. The person shall be issued a set of restricted license plates that are different in color from regular plates which shall be displayed on the motor vehicle or motor vehicles registered solely or jointly in the person's name for the period of the suspension, revocation, denial, or disqualification. The applicant shall pay replacement plate fees as provided in section 301.300, RSMo, for the restricted license plates in addition to any other registration fees that may apply. After reinstatement, standard plates shall be obtained under the requirements and fees established in chapter 301, RSMo.

2. Until the driver's license of the motor vehicle owner is reinstated, any new license plate issued to the motor vehicle owner shall conform to the provisions of this section.

3. Law enforcement officers shall have probable cause to stop any vehicle displaying restricted license plates issued under the

22 provisions of this section to determine whether the driver of such
23 vehicle has a valid driver's license or a limited driving privilege as
24 described in section 302.309.

25 4. A registered owner of a motor vehicle who has been issued
26 restricted license plates under the provisions of this section may not
27 sell the motor vehicle during the period the motor vehicle is required
28 to display such plates unless the registered owner applies to the
29 department of revenue for permission to transfer title to the motor
30 vehicle. If the director of the department of revenue is satisfied that
31 the proposed sale is in good faith and for a valid consideration, and
32 that the sale or transfer is not for the purpose of circumventing the
33 provisions of this section, the director may certify its consent to the
34 owner of the motor vehicle. Any vehicle acquired by the applicant
35 during the period of restriction shall display the restricted license
36 plates.

37 5. If, during the time the restricted license plates are required
38 to be displayed under this section, the title to a motor vehicle is
39 transferred by a foreclosure, a sale upon execution, or other similar
40 legal action, the department shall enter notice of the transfer of the
41 motor vehicle's title in the motor vehicle system and the restricted
42 license plates shall be returned to the department of revenue for
43 destruction.

44 6. No person operating a motor vehicle displaying restricted
45 license plates as described in this section shall knowingly replace,
46 disguise, or obscure the color of such plates.

47 7. Nothing contained in this section shall alter or be construed
48 to alter the obligations of a person with respect to the taxation of
49 motor vehicles or the time within which a person must pay personal
50 property taxes upon a motor vehicle.

51 8. The director of the department of revenue is authorized to
52 promulgate rules and regulations to implement the provisions of this
53 section. Any rule or portion of a rule, as that term is defined in section
54 536.010, RSMo, that is created under the authority delegated in this
55 section shall become effective only if it complies with and is subject to
56 all of the provisions of chapter 536, RSMo, and, if applicable, section
57 536.028, RSMo. This section and chapter 536, RSMo, are nonseverable
58 and if any of the powers vested with the general assembly pursuant to

59 **chapter 536, RSMo, to review, to delay the effective date, or to**
60 **disapprove and annul a rule are subsequently held unconstitutional,**
61 **then the grant of rulemaking authority and any rule proposed or**
62 **adopted after August 28, 2007, shall be invalid and void.**

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Bill

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