

SECOND REGULAR SESSION

[PERFECTED]

HOUSE BILL NO. 1800

100TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE MORRIS (140).

4288H.01P

DANA RADEMAN MILLER, Chief Clerk

AN ACT

To repeal sections 136.055 and 301.451, RSMo, and to enact in lieu thereof two new sections relating to motor vehicles.

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

Section A. Sections 136.055 and 301.451, RSMo, are repealed and two new sections
2 enacted in lieu thereof, to be known as sections 136.055 and 301.451, to read as follows:

136.055. 1. Any person who is selected or appointed by the state director of revenue as
2 provided in subsection 2 of this section to act as an agent of the department of revenue, whose
3 duties shall be the processing of motor vehicle title and registration transactions and the
4 collection of sales and use taxes when required under sections 144.070 and 144.440, and who
5 receives no salary from the department of revenue, shall be authorized to collect from the party
6 requiring such services additional fees as compensation in full and for all services rendered on
7 the following basis:

8 (1) For each motor vehicle or trailer registration issued, renewed or transferred, six
9 dollars and twelve dollars for those licenses sold or biennially renewed pursuant to section
10 301.147;

11 (2) For each application or transfer of title, six dollars;

12 (3) For each instruction permit, nondriver license, chauffeur's, operator's or driver's
13 license issued for a period of three years or less, six dollars and twelve dollars for licenses or
14 instruction permits issued or renewed for a period exceeding three years;

15 (4) For each notice of lien processed, six dollars;

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

16 (5) Notary fee or electronic transmission per processing, two dollars.

17 2. (1) The director of revenue shall award fee office contracts under this section through
18 a competitive bidding process. The competitive bidding process shall give priority to
19 organizations and entities that are [~~exempt from taxation under Section 501(c)(3), 501(c)(6), or~~
20 ~~501(c)(4), except those civic organizations that would be considered action organizations under~~
21 ~~26 C.F.R. Section 1.501 (e)(3) - 1(e)(3), of the Internal Revenue Code of 1986, as amended]~~
22 **Missouri not-for-profit corporations**, with special consideration given to those organizations
23 and entities that reinvest a minimum of seventy-five percent of the net proceeds to charitable
24 organizations in Missouri, and political subdivisions, including but not limited to, municipalities,
25 counties, and fire protection districts. The director of the department of revenue [~~may~~] **shall**
26 promulgate rules and regulations necessary to carry out the provisions of this subsection. Any
27 rule or portion of a rule, as that term is defined in section 536.010, that is created under the
28 authority delegated in this subsection shall become effective only if it complies with and is
29 subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section
30 and chapter 536 are nonseverable and if any of the powers vested with the general assembly
31 pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule
32 are subsequently held unconstitutional, then the grant of rulemaking authority and any rule
33 proposed or adopted after August 28, 2009, shall be invalid and void.

34 (2) **Rules promulgated pursuant to subdivision (1) of this subsection for evaluating**
35 **bids shall include a preference for persons and entities that are based in a location near the**
36 **fee office location. If the department utilizes any scoring mechanism for evaluating bids**
37 **pursuant to this section, such scoring mechanism shall ensure that:**

38 (a) **A person or entity based no more than thirty-five miles from the fee office**
39 **location shall be awarded a bonus of fifteen percent of the total available points;**

40 (b) **A person or entity based more than thirty-five miles but no more than sixty**
41 **miles from the fee office location shall be awarded a bonus of ten percent of the total**
42 **available points;**

43 (c) **A person or entity that is a resident of this state shall be awarded a bonus of ten**
44 **percent of the total available points. For the purposes of this paragraph, "resident" shall**
45 **have the same meaning as defined pursuant to section 143.101. In the case of for-profit**
46 **corporations, each person with an ownership interest in such organization with the right**
47 **to manage the company or direct its operations either solely or as part of a larger group**
48 **shall be a resident of this state; and**

49 (d) **A person or entity based more than sixty miles but no more than seventy-five**
50 **miles from the fee office location shall be awarded a bonus of seven percent of the total**
51 **available points.**

52 **(3) No fee office contract shall be awarded to any person or entity that is not in**
53 **compliance with the rules promulgated pursuant to this subsection.**

54 **(4) The department of revenue shall not consider for a contract award any entity**
55 **that has not been registered with the office of the secretary of state for at least one year.**

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

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

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

65 6. The fees authorized by this section shall not be collected by motor vehicle dealers
66 acting as agents of the department of revenue under section 32.095 or those motor vehicle dealers
67 authorized to collect and remit sales tax under subsection 10 of section 144.070.

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

 301.451. **(1)** Any person who has been awarded the purple heart medal may apply for
2 special motor vehicle license plates for any vehicle he or she owns, either solely or jointly, other
3 than commercial vehicles weighing over twenty-four thousand pounds.

4 **(2)** Any such person shall make application for the special license plates on a form
5 provided by the director of revenue and furnish such proof as a recipient of the purple heart
6 medal as the director may require. The director shall then issue license plates bearing letters or
7 numbers or a combination thereof, with the words "PURPLE HEART" in place of the words
8 "SHOW-ME STATE" in a form prescribed by the advisory committee established in section
9 301.129.

10 **(3)** Such license plates shall be made with fully reflective material with a common color
11 scheme and design, shall be clearly visible at night, and shall be aesthetically attractive, as
12 prescribed by section 301.130.

13 **(4)** There shall be no fee **charged for the first set of license plates issued to an eligible**
14 **person under this section. A second or subsequent set of license plates issued to the eligible**

15 **person under this section shall be subject to regular registration fees but not to any fee in**
16 addition to regular registration fees ~~[for the purple heart license plates issued to the applicant].~~

17 **(5)** There shall be no limit on the number of license plates any person qualified under
18 this section may obtain so long as each set of license plates issued under this section is issued
19 for vehicles owned solely or jointly by such person.

20 **(6)** License plates issued under the provisions of this section shall not be transferable to
21 any other person, except that, **in the event of the death of the qualified person**, any registered
22 co-owner of the motor vehicle shall be entitled to ~~[operate the motor vehicle for the duration of~~
23 ~~the year licensed in the event of the death of the qualified person]~~ **use and renew the license**
24 **plates until he or she remarries or, if he or she does not remarry, for the remainder of his**
25 **or her life.**

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