

FIRST REGULAR SESSION

HOUSE BILL NO. 771

99TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE KORMAN.

1513H.011

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To repeal section 142.869, RSMo, and to enact in lieu thereof one new section relating to the alternative fuel decal fee, with penalty provisions.

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

Section A. Section 142.869, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 142.869, to read as follows:

142.869. 1. The tax imposed by this chapter shall not apply to passenger motor vehicles, buses as defined in section 301.010, or commercial motor vehicles registered in this state which are powered by alternative fuel, and for which a valid decal has been acquired as provided in this section, provided that sales made to alternative fueled vehicles powered by compressed natural gas or liquefied natural gas that do not meet the requirements of subsection 3 of this section shall be taxed exclusively pursuant to subdivisions (4) and (5) of subsection 1 of section 142.803, respectively. The owners or operators of such motor vehicles, **except plug-in electric hybrids**, shall, in lieu of the tax imposed by section 142.803, pay an annual alternative fuel decal fee as follows: seventy-five dollars on each passenger motor vehicle, school bus as defined in section 301.010, and commercial motor vehicle with a licensed gross vehicle weight of eighteen thousand pounds or less; one hundred dollars on each motor vehicle with a licensed gross weight in excess of eighteen thousand pounds but not more than thirty-six thousand pounds used for farm or farming transportation operations and registered with a license plate designated with the letter "F"; one hundred fifty dollars on each motor vehicle with a licensed gross vehicle weight in excess of eighteen thousand pounds but less than or equal to thirty-six thousand pounds, and each passenger-carrying motor vehicle subject to the registration fee provided in sections 301.059, 301.061 and 301.063; two hundred fifty dollars on each motor vehicle with a licensed

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.

18 gross weight in excess of thirty-six thousand pounds used for farm or farming transportation
19 operations and registered with a license plate designated with the letter "F"; and one thousand
20 dollars on each motor vehicle with a licensed gross vehicle weight in excess of thirty-six
21 thousand pounds. **Owners or operators of plug-in electric hybrids shall pay one-half of the**
22 **stated annual alternative fuel decal fee.** Notwithstanding provisions of this section to the
23 contrary, motor vehicles licensed as historic under section 301.131 which are powered by
24 alternative fuel shall be exempt from both the tax imposed by this chapter and the alternative fuel
25 decal requirements of this section. **For the purposes of this section, a plug-in electric hybrid**
26 **shall be any hybrid vehicle made by a manufacturer with a model year of 2018 or newer,**
27 **that has not been modified from the original manufacturer specifications, with an internal**
28 **combustion engine and batteries that can be recharged by connecting a plug to an electric**
29 **power source.**

30 2. Except interstate fuel users and vehicles licensed under a reciprocity agreement as
31 defined in section 142.617, the tax imposed by section 142.803 shall not apply to motor vehicles
32 registered outside this state which are powered by alternative fuel other than compressed natural
33 gas and liquefied natural gas, and for which a valid temporary alternative fuel decal has been
34 acquired as provided in this section. The owners or operators of such motor vehicles shall, in
35 lieu of the tax imposed by section 142.803, pay a temporary alternative fuel decal fee of eight
36 dollars on each such vehicle. Such decals shall be valid for a period of fifteen days from the date
37 of issuance and shall be attached to the lower right-hand corner of the front windshield on the
38 motor vehicle for which it was issued. Such decal and fee shall not be transferable. All proceeds
39 from such decal fees shall be deposited as specified in section 142.345. Alternative fuel dealers
40 selling such decals in accordance with rules and regulations prescribed by the director shall be
41 allowed to retain fifty cents for each decal fee timely remitted to the director.

42 3. Owners or operators of passenger motor vehicles, buses as defined in section 301.010,
43 or commercial motor vehicles registered in this state which are powered by compressed natural
44 gas or liquefied natural gas who have installed a compressed natural gas fueling station or
45 liquefied natural gas fueling station used solely to fuel the motor vehicles they own or operate
46 as of December 31, 2015, may continue to apply for and use the alternative fuel decal in lieu of
47 paying the tax imposed under subdivisions (4) and (5) of subsection 1 of section 142.803.
48 Owners or operators of compressed natural gas fueling stations or liquefied natural gas fueling
49 stations whose vehicles bear an alternative fuel decal shall be prohibited from selling or
50 providing compressed natural gas or liquefied natural gas to any motor vehicle they do not own
51 or operate. Owners or operators of motor vehicles powered by compressed natural gas or
52 liquefied natural gas bearing an alternative fuel decal after January 1, 2016, that decline to renew
53 the alternative fuel decals for such motor vehicles shall no longer be eligible to apply for and use

54 alternative fuel decals under this subsection. Any compressed natural gas or liquefied natural
55 gas obtained at any fueling station not owned by the owner or operator of the motor vehicle
56 bearing an alternative fuel decal shall be subject to the tax under subdivisions (4) and (5) of
57 subsection 1 of section 142.803.

58 4. The director shall annually, on or before January thirty-first of each year, collect or
59 cause to be collected from owners or operators of the motor vehicles specified in subsection 1
60 of this section the annual decal fee. Applications for such decals shall be supplied by the
61 department of revenue. In the case of a motor vehicle which is not in operation by January
62 thirty-first of any year, a decal may be purchased for a fractional period of such year, and the
63 amount of the decal fee shall be reduced by one-twelfth for each complete month which shall
64 have elapsed since the beginning of such year.

65 5. Upon the payment of the fee required by subsection 1 of this section, the director shall
66 issue a decal, which shall be valid for the current calendar year and shall be attached to the lower
67 right-hand corner of the front windshield on the motor vehicle for which it was issued.

68 6. The decal fee paid pursuant to subsection 1 of this section for each motor vehicle shall
69 be transferable upon a change of ownership of the motor vehicle and, if the LP gas or natural gas
70 equipment is removed from a motor vehicle upon a change of ownership and is reinstalled in
71 another motor vehicle, upon such reinstallation. Such transfers shall be accomplished in
72 accordance with rules and regulations promulgated by the director.

73 7. It shall be unlawful for any person to operate a motor vehicle required to have an
74 alternative fuel decal upon the highways of this state without a valid decal.

75 8. No person shall cause to be put, or put, LP gas into the fuel supply receptacle of a
76 motor vehicle required to have an alternative fuel decal unless the motor vehicle has a valid decal
77 attached to it. Sales of fuel placed in the supply receptacle of a motor vehicle displaying such
78 decal shall be recorded upon an invoice, which invoice shall include the decal number, the motor
79 vehicle license number and the number of gallons placed in such supply receptacle.

80 9. Any person violating any provision of this section is guilty of an infraction and shall,
81 upon conviction thereof, be fined five hundred dollars.

82 10. Motor vehicles displaying a valid alternative fuel decal are exempt from the licensing
83 and reporting requirements of this chapter.

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