

FIRST REGULAR SESSION

SENATE BILL NO. 579

101ST GENERAL ASSEMBLY

INTRODUCED BY SENATOR REHDER.

2770S.02I

ADRIANE D. CROUSE, Secretary

AN ACT

To repeal section 136.055, RSMo, and to enact in lieu thereof one new section relating to fee office contracts awarded by the department of revenue.

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

Section A. Section 136.055, RSMo, is repealed and one new
2 section enacted in lieu thereof, to be known as section 136.055,
3 to read as follows:

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

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

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

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

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

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

26 2. The director of revenue shall award fee office
27 contracts under this section through a competitive bidding
28 process. The competitive bidding process shall give
29 priority to organizations and entities that are exempt from
30 taxation under Section 501(c)(3), 501(c)(6), or 501(c)(4),
31 except those civic organizations that would be considered
32 action organizations under 26 C.F.R. Section 1.501(c)(3)-
33 1(c)(3), of the Internal Revenue Code of 1986, as amended,
34 with special consideration given to those organizations and
35 entities that reinvest a minimum of seventy-five percent of
36 the net proceeds to charitable organizations in Missouri,
37 and political subdivisions, including but not limited to,
38 municipalities, counties, and fire protection districts. **In**
39 **the event the department of revenue fails to execute a**
40 **subsequent fee office contract prior to the expiration of**
41 **the previous fee office contract, all fee office contracts**
42 **in the state shall be extended by a period of two years at**
43 **the option of the organization or entity operating each fee**
44 **office, provided that no fee office contract shall be**
45 **extended where a subsequent fee office contract has already**
46 **been awarded.** The director of the department of revenue may
47 promulgate rules and regulations necessary to carry out the
48 provisions of this subsection. Any rule or portion of a
49 rule, as that term is defined in section 536.010, that is

50 created under the authority delegated in this subsection
51 shall become effective only if it complies with and is
52 subject to all of the provisions of chapter 536 and, if
53 applicable, section 536.028. This section and chapter 536
54 are nonseverable and if any of the powers vested with the
55 general assembly pursuant to chapter 536 to review, to delay
56 the effective date, or to disapprove and annul a rule are
57 subsequently held unconstitutional, then the grant of
58 rulemaking authority and any rule proposed or adopted after
59 August 28, 2009, shall be invalid and void.

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

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

66 5. Any person acting as agent of the department of
67 revenue for the sale and issuance of registrations,
68 licenses, and other documents related to motor vehicles
69 shall have an insurable interest in all license plates,
70 licenses, tabs, forms and other documents held on behalf of
71 the department.

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

77 7. Notwithstanding any other provision of law to the
78 contrary, the state auditor may audit all records maintained
79 and established by the fee office in the same manner as the
80 auditor may audit any agency of the state, and the
81 department shall ensure that this audit requirement is a

82 necessary condition for the award of all fee office
83 contracts. No confidential records shall be divulged in
84 such a way to reveal personally identifiable information.

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