

SECOND REGULAR SESSION

[PERFECTED]

# HOUSE BILL NO. 1628

## 94TH GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVE COOPER (120).

Read 1st time January 14, 2008 and copies ordered printed.

Read 2nd time January 15, 2008 and referred to the Committee on Ways and Means January 24, 2008.

Reported from the Committee on Ways and Means February 7, 2008 with recommendation that the bill Do Pass by Consent. Referred to the Committee on Rules pursuant to Rule 25(21)(f).

Reported from the Committee on Rules February 11, 2008 with recommendation that the bill Do Pass by Consent with no time limit for debate.

Perfected by Consent February 19, 2008.

D. ADAM CRUMBLISS, Chief Clerk

4075L.01P

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### AN ACT

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

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*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Section A. Section 142.869, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 142.869, to read as follows: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, RSMo, 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. The owners or operators of such motor vehicles 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, RSMo, 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

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.

9 thousand pounds but not more than thirty-six thousand pounds used for farm or farming  
10 transportation operations and registered with a license plate designated with the letter "F"; one  
11 hundred fifty dollars on each motor vehicle with a licensed gross vehicle weight in excess of  
12 eighteen thousand pounds but less than or equal to thirty-six thousand pounds, and each  
13 passenger-carrying motor vehicle subject to the registration fee provided in sections 301.059,  
14 301.061 and 301.063, RSMo; two hundred fifty dollars on each motor vehicle with a licensed  
15 gross weight in excess of thirty-six thousand pounds used for farm or farming transportation  
16 operations and registered with a license plate designated with the letter "F"; and one thousand  
17 dollars on each motor vehicle with a licensed gross vehicle weight in excess of thirty-six  
18 thousand pounds. **Notwithstanding provisions of this section to the contrary, motor vehicles**  
19 **licensed as historic under section 301.131, RSMo, which are powered by alternative fuel**  
20 **shall be exempt from both the tax imposed by this chapter and the alternative fuel decal**  
21 **requirements of this section.**

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

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

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

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

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

51           7. No person shall cause to be put, or put, LP gas or natural gas into the fuel supply  
52 receptacle of a motor vehicle required to have an alternative fuel decal unless the motor vehicle  
53 has a valid decal attached to it. Sales of fuel placed in the supply receptacle of a motor vehicle  
54 displaying such decal shall be recorded upon an invoice, which invoice shall include the decal  
55 number, the motor vehicle license number and the number of gallons placed in such supply  
56 receptacle.

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

59           9. Motor vehicles displaying a valid alternative fuel decal are exempt from the licensing  
60 and reporting requirements of this chapter.

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