

FIRST REGULAR SESSION

[PERFECTED]

HOUSE COMMITTEE SUBSTITUTE FOR

# HOUSE BILL NO. 381

95TH GENERAL ASSEMBLY

0365L.02P

D. ADAM CRUMBLISS, Chief Clerk

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## AN ACT

To repeal section 136.055, RSMo, and to enact in lieu thereof one new section relating to fee agent offices.

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Section A. Section 136.055, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 136.055, to read as follows:

136.055. 1. Any person who is selected or appointed by the state director of revenue to act as an agent of the department of revenue, whose duties shall be the sale of motor vehicle licenses and the collection of motor vehicle sales and use taxes under the provisions of section 144.440, RSMo, and who receives no salary from the department of revenue, shall be authorized to collect from the party requiring such services additional fees as compensation in full and for all services rendered on the following basis:

(1) For each motor vehicle or trailer license sold, renewed or transferred--two dollars and fifty cents beginning January 1, 1998; and four dollars beginning July 1, 2000; and five dollars beginning August 28, 2002, for those licenses biennially renewed pursuant to section 301.147, RSMo. Beginning July 1, 2003, for each motor vehicle or trailer license sold, renewed or transferred--three dollars and fifty cents and seven dollars for those licenses sold or biennially renewed pursuant to section 301.147, RSMo;

(2) For each application or transfer of title--two dollars and fifty cents beginning January 1, 1998;

(3) For each instruction permit, nondriver license, chauffeur's, operator's or driver's license issued for a period of three years or less--two dollars and fifty cents and five dollars for licenses or instruction permits issued or renewed for a period exceeding three years;

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 (4) For each notice of lien processed--two dollars and fifty cents beginning August 28,  
19 2000;

20 (5) No notary fee or other fee or additional charge shall be paid or collected except for  
21 electronic telephone transmission reception--two dollars.

22 2. All fees charged shall not exceed those in this section. Beginning July 1, 2003, the  
23 fees imposed by this section shall be collected by all permanent branch offices and all full-time  
24 or temporary offices maintained by the department of revenue.

25 3. Any person acting as agent of the department of revenue for the sale and issuance of  
26 licenses and other documents related to motor vehicles shall have an insurable interest in all  
27 license plates, licenses, tabs, forms and other documents held on behalf of the department.

28 4. The fee increases authorized by this section and approved by the general assembly  
29 were requested by the fee agents. All fee agent offices shall display a three foot by four foot sign  
30 with black letters of at least three inches in height on a white background which states:

31 The increased fees approved by the  
32 Missouri Legislature and charged by  
33 this fee office were requested by the  
34 fee agents.

35 **5. (1) For all fee office contracts awarded after August 28, 2009, the department**  
36 **of revenue shall develop a procedure to select agents for new fee office contracts to ensure**  
37 **that the best interests of the state and the area served by the fee office are met. The**  
38 **department shall ensure that fee office contracts are awarded and maintained only with**  
39 **entities that implement procedures designed to reduce customer wait times to thirty**  
40 **minutes or less. The department shall award such contracts under this section with**  
41 **priority given to applicants as follows:**

42 (a) **Organizations and entities that are exempt from taxation under Section**  
43 **501(c)(3) or 501(c)(6) of the Internal Revenue Code of 1986, as amended. Such**  
44 **organizations and entities include, but are not limited to, chambers of commerce, veterans'**  
45 **organizations, and local school foundations;**

46 (b) **Municipalities, counties, and fire protection districts.**

47 (2) **Any fees collected under this section by a tax-exempt organization or entity, or**  
48 **by any local political subdivision, shall be retained and used by such organization, entity,**  
49 **or local political subdivision.**

50 (3) **No individual or for-profit organization or entity shall be awarded any fee office**  
51 **contract under this section unless no entity granted priority status under this section is**  
52 **available or qualified to hold a fee office contract. No individual who has pled guilty to or**

53 who has been convicted of any felony offense or an alcohol related offense pursuant to  
54 sections 577.010, 577.012, or 577.017, RSMo, shall be qualified to hold a fee office contract.

55 (4) The department of revenue shall assist all organizations, entities, and local  
56 political subdivisions awarded fee office contracts under this section with any transition  
57 between the existing fee agent and the agent awarded a fee office contract under this  
58 section.

59 (5) No employee hired under any fee office contract awarded under this subsection  
60 shall receive compensation for such services exceeding one hundred thousand dollars per  
61 year.

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

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