

SECOND REGULAR SESSION

HOUSE BILL NO. 1329

96TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVES SILVEY (Sponsor), TILLEY, TALBOY,
LAMPE AND JONES (89) (Co-sponsors).

5214L.011

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To repeal section 301.140, RSMo, and to enact in lieu thereof one new section relating to temporary registration permits.

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

Section A. Section 301.140, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 301.140, to read as follows:

301.140. 1. Upon the transfer of ownership of any motor vehicle or trailer, the certificate of registration and the right to use the number plates shall expire and the number plates shall be removed by the owner at the time of the transfer of possession, and it shall be unlawful for any person other than the person to whom such number plates were originally issued to have the same in his or her possession whether in use or not, unless such possession is solely for charitable purposes; except that the buyer of a motor vehicle or trailer who trades in a motor vehicle or trailer may attach the license plates from the traded-in motor vehicle or trailer to the newly purchased motor vehicle or trailer. The operation of a motor vehicle with such transferred plates shall be lawful for no more than thirty days. As used in this subsection, the term "trade-in motor vehicle or trailer" shall include any single motor vehicle or trailer sold by the buyer of the newly purchased vehicle or trailer, as long as the license plates for the trade-in motor vehicle or trailer are still valid.

2. In the case of a transfer of ownership the original owner may register another motor vehicle under the same number, upon the payment of a fee of two dollars, if the motor vehicle is of horsepower, gross weight or (in the case of a passenger-carrying commercial motor vehicle) seating capacity, not in excess of that originally registered. When such motor vehicle is of

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.

17 greater horsepower, gross weight or (in the case of a passenger-carrying commercial motor
18 vehicle) seating capacity, for which a greater fee is prescribed, applicant shall pay a transfer fee
19 of two dollars and a pro rata portion for the difference in fees. When such vehicle is of less
20 horsepower, gross weight or (in case of a passenger-carrying commercial motor vehicle) seating
21 capacity, for which a lesser fee is prescribed, applicant shall not be entitled to a refund.

22 3. License plates may be transferred from a motor vehicle which will no longer be
23 operated to a newly purchased motor vehicle by the owner of such vehicles. The owner shall pay
24 a transfer fee of two dollars if the newly purchased vehicle is of horsepower, gross weight or (in
25 the case of a passenger-carrying commercial motor vehicle) seating capacity, not in excess of that
26 of the vehicle which will no longer be operated. When the newly purchased motor vehicle is of
27 greater horsepower, gross weight or (in the case of a passenger-carrying commercial motor
28 vehicle) seating capacity, for which a greater fee is prescribed, the applicant shall pay a transfer
29 fee of two dollars and a pro rata portion of the difference in fees. When the newly purchased
30 vehicle is of less horsepower, gross weight or (in the case of a passenger-carrying commercial
31 motor vehicle) seating capacity, for which a lesser fee is prescribed, the applicant shall not be
32 entitled to a refund.

33 4. [Upon the sale of a motor vehicle or trailer by a dealer, a buyer who has made
34 application for registration, by mail or otherwise, may operate the same for a period of thirty days
35 after taking possession thereof, if during such period the motor vehicle or trailer shall have
36 attached thereto, in the manner required by section 301.130, number plates issued to the dealer.
37 Upon application and presentation of proof of financial responsibility as required under
38 subsection 5 of this section and satisfactory evidence that the buyer has applied for registration,
39 a dealer may furnish such number plates to the buyer for such temporary use. In such event, the
40 dealer shall require the buyer to deposit the sum of ten dollars and fifty cents to be returned to
41 the buyer upon return of the number plates as a guarantee that said buyer will return to the dealer
42 such number plates within thirty days. The director shall issue a temporary permit authorizing
43 the operation of a motor vehicle or trailer by a buyer for not more than thirty days of the date of
44 purchase.

45 **5.] The director of revenue shall have authority to issue a temporary permit**
46 **authorizing the temporary operation of a motor vehicle or trailer by a buyer for not more**
47 **than thirty days from the date of purchase. The temporary permit is not incidental to the**
48 **use or right to use the highways of the state, but merely for the temporary operation of a**
49 **motor vehicle or trailer for safety and law enforcement purposes.** The temporary permit
50 shall be made available by the director of revenue and may be purchased from the department
51 of revenue upon proof of purchase of a motor vehicle or trailer for which the buyer has no
52 registration plate available for transfer and upon proof of financial responsibility, or from a

53 dealer upon purchase of a motor vehicle or trailer for which the buyer has no registration plate
54 available for transfer **or from a dealer upon purchase of a motor vehicle or trailer for which**
55 **the buyer has registered and is awaiting receipt of license plates for the use or right to use**
56 **the highways of the state.** The director shall make temporary permits available to registered
57 dealers in this state or authorized agents of the department of revenue [in sets of ten permits].
58 The fee for the temporary permit shall [be] **not exceed** seven dollars and fifty cents for each
59 permit [or plate] issued. No dealer or authorized agent shall charge more than seven dollars and
60 fifty cents for each permit issued. The permit shall be valid for a period of thirty days from the
61 date of purchase of a motor vehicle or trailer, or from the date of sale of the motor vehicle or
62 trailer by a dealer for which the purchaser obtains a permit as set out above. **The director of**
63 **revenue shall have the authority to issue an extended temporary registration permit at his**
64 **or her discretion for a motor vehicle or trailer while proper title and registration are being**
65 **obtained.** No permit shall be issued for a vehicle under this section unless the buyer shows
66 proof of financial responsibility.

67 [6.] **5.** The permit shall be issued on a form prescribed by the director and issued only
68 for the applicant's [use in the] **temporary** operation of the motor vehicle or trailer purchased to
69 enable the applicant to [legally] **temporarily** operate the vehicle while proper title and
70 registration plate are being obtained **or while awaiting receipt of license plates for the use or**
71 **right to use the highways of the state,** and shall be displayed on no other vehicle. Temporary
72 permits issued pursuant to this section shall not be transferable or renewable and shall not be
73 valid upon issuance of proper registration plates for the motor vehicle or trailer. The director
74 shall determine the size [and] , **material, design,** numbering configuration, construction, and
75 color of the permit.

76 [7. The dealer or authorized agent shall insert the date of issuance and expiration date,
77 year, make, and manufacturer's number of vehicle on the permit when issued to the buyer. The
78 dealer shall also insert such dealer's number on the permit.]

79 **6.** Every dealer that issues [a] temporary [permit] **permits** shall keep, for inspection [of]
80 **by** proper officers, [a correct] **an accurate** record of each permit issued by recording **or**
81 **reporting, as required by the director,** the permit [or plate] number, **the dealer's number,**
82 buyer's name and address, **the vehicle's** year, make, **and** manufacturer's vehicle identification
83 number [on which the permit is to be used], and the **permit's** date of issuance **and expiration**
84 **date.**

85 [8.] **7.** Upon the transfer of ownership of any currently registered motor vehicle wherein
86 the owner cannot transfer the license plates due to a change of vehicle category, the owner may
87 surrender the license plates issued to the motor vehicle and receive credit for any unused portion
88 of the original registration fee against the registration fee of another motor vehicle. Such credit

89 shall be granted based upon the date the license plates are surrendered. No refunds shall be made
90 on the unused portion of any license plates surrendered for such credit.

91 **8. The director may promulgate all necessary rules and regulations for the**
92 **administration of this section. Any rule or portion of a rule, as that term is defined in**
93 **section 536.010, that is created under the authority delegated in this section shall become**
94 **effective only if it complies with and is subject to all of the provisions of chapter 536 and,**
95 **if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of**
96 **the powers vested with the general assembly pursuant to chapter 536 to review, to delay**
97 **the effective date, or to disapprove and annul a rule are subsequently held**
98 **unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted**
99 **after August 28, 2012, shall be invalid and void.**

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