

FIRST REGULAR SESSION

# HOUSE BILL NO. 791

98TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE WIEMANN.

1520H.011

D. ADAM CRUMBLISS, Chief Clerk

## AN ACT

To amend chapter 301, RSMo, by adding thereto one new section relating to specialized license plates honoring fallen law enforcement officers.

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

Section A. Chapter 301, RSMo, is amended by adding thereto one new section, to be known as section 301.138, to read as follows:

**301.138. 1. Notwithstanding any other provision of law to the contrary, any member of the public who has obtained an emblem-use authorization statement from the Missouri Fraternal Order of Police (MoFOP) may apply for specialty personalized license plates honoring a fallen law enforcement officer for any vehicle owned, either solely or jointly, other than for an apportioned motor vehicle or a commercial motor vehicle license in excess of eighteen thousand pounds.**

**2. Upon annual application and payment of a twenty-five dollar contribution, MoFOP shall issue to the vehicle owner, without further charge, an emblem-use authorization statement or receipt which shall be valid for one year and presented by the vehicle owner to the director of revenue at the time of registration. Upon presentation of the statement, payment of a fifteen dollar fee in addition to the regular registration fees, and presentation of any documents which may be required by law, the director of revenue shall issue to the vehicle owner a specialty personalized license plate which shall bear on the top left corner of the license plate, an emblem of a fallen law enforcement officer's badge or star with black bands running through the badge or star. The word "HONORING" shall be centered at the top of the emblem and "LAW ENFORCEMENT" shall be centered on the bottom of the emblem. Additionally, the words "REMEMBER**

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 **OUR FALLEN HEROES” shall be displayed centered at the bottom of the plate in a**  
19 **manner prescribed by the director of revenue. The plate shall not bear the official**  
20 **Fraternal Order of Police emblem anywhere on the plate. Such license plates shall be made**  
21 **with fully reflective material with a common color scheme and design to be approved by**  
22 **the director of revenue, be clearly visible at night, have a reflective white background in**  
23 **the area of the plate configuration with a blue band around the border, have “MISSOURI”**  
24 **centered at the top of the plate, and be aesthetically attractive as prescribed by section**  
25 **301.130. Notwithstanding the provisions of 301.144, no additional fee shall be charged for**  
26 **the personalization of license plates issued under this section.**

27 **3. A vehicle owner who was previously issued a plate with the emblem authorized**  
28 **by subsection 2 of this section, but who does not provide proof of payment at a subsequent**  
29 **time of registration, shall be issued a new plate which does not bear the emblem authorized**  
30 **by subsection 2 of this section as otherwise provided by law. The director of revenue shall**  
31 **make necessary rules and regulations for the enforcement of this section and shall design**  
32 **all necessary forms required by this section.**

33 **4. Prior to the issuance of the specialty personalized plate authorized under this**  
34 **section, the department of revenue shall be in receipt of an application, as prescribed by**  
35 **the director, which shall be accompanied by a list of at least two hundred potential**  
36 **applicants who plan to purchase the specialty personalized plate and the proposed art**  
37 **design for the specialty license plate. Once the plate design is approved, the director of**  
38 **revenue shall not authorize the manufacture of the material to produce such specialized**  
39 **license plates with the individual seal, logo, or emblem until such time as the director has**  
40 **received two hundred applications, the fifteen dollar specialty plate fee per application,**  
41 **emblem use statements, if applicable, and other required documents or fees for such plates.**

42 **5. The specialty personalized plate shall not be redesigned unless the organization**  
43 **pays the director in advance for all redesigned plate fees for the plate established in this**  
44 **section. If a member chooses to replace the specialty personalized plate with the new**  
45 **design, the member shall pay the replacement fees prescribed in section 301.300 for the**  
46 **replacement of the existing specialty personalized plate. All other applicable license plate**  
47 **fees in accordance with this chapter shall be required.**

48 **6. The director of revenue may promulgate rules and regulations for the**  
49 **administration of this section. Any rule or portion of a rule, as that term is defined in**  
50 **section 536.010, that is created under the authority delegated in this section shall become**  
51 **effective only if it complies with and is subject to all of the provisions of chapter 536 and,**  
52 **if applicable, section 536.028. This section and chapter 536 are nonseverable, and if any**  
53 **of the powers vested with the general assembly pursuant to chapter 536 to review, to delay**

54 the effective date, or to disapprove and annul a rule are subsequently held  
55 unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted  
56 after August 28, 2015, shall be invalid and void.

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