

HOUSE _____ AMENDMENT NO. _____

Offered By

AMEND House Committee Substitute for House Bill No. 1640, Page 20, Section 301.032, Line 49, by inserting after all of said section and line, the following:

“301.064. 1. The annual registration fee for a land improvement contractors' commercial motor vehicle is three hundred fifty dollars. The maximum gross weight for which such a vehicle may be registered is eighty thousand pounds. Transporting for hire by such a motor vehicle is prohibited.

2. Upon application to the director of revenue accompanied by an affidavit signed by the owner or owners stating that the motor vehicle to be licensed as a land improvement contractors' commercial motor vehicle shall not be operated in any manner other than as prescribed in section 301.010, and by the amount of the registration fee prescribed [above] in subsection 1 of this section, and otherwise complying with the laws relating to the registration and licensing of motor vehicles, the owner or owners shall be issued a [set of] distinctive land improvement contractors' license [plates. The director of revenue shall by regulation determine the characteristic features of land improvement contractors' license plates so that they] plate so that it may be readily identified as such.”;

Further amend said bill, Page 21, Section 301.069, Line 40, by inserting after all of said section and line, the following:

“301.120. 1. When the owner of a motor vehicle moves the vehicle to another state, [he] the owner shall return the license plates to the director of revenue within ninety days or upon the expiration of the period of reciprocity granted by the new state of residence; or if the owner of a motor vehicle ceases to operate the vehicle in Missouri, [he] the owner shall return the license plates to the director of revenue within ninety days.

2. For motor vehicles that require the issuance of only one license plate under section 301.130 on or after August 28, 2012, an owner whose motor vehicle has a front license plate on the effective date of this section shall surrender the front license plate to the department of revenue at the next renewal of registration for the motor vehicle.”;

Further amend said bill, Pages 21-24, Section 301.130, Lines 1-115, by removing all of said lines from the bill and inserting in lieu thereof the following:

1 “301.130. 1. Beginning August 28, 2012, the director of revenue, upon receipt of a proper
2 application for registration, required fees and any other information which may be required by law, shall
3 issue to the applicant a certificate of registration in such manner and form as the director of revenue may
4 prescribe and [a set of license plates] only one license plate, or other evidence of registration, as provided
5 by this section. Each license plate or set of license plates shall bear the name or abbreviated name of this
6 state, the words "SHOW-ME STATE", the month and year in which the registration shall expire, and an
7 arrangement of numbers or letters, or both, as shall be assigned from year to year by the director of
8 revenue. The plate or plates shall also contain fully reflective material with a common color scheme and
9 design for each type of license plate issued pursuant to this chapter. The plate or plates shall be clearly
10 visible at night, and shall be aesthetically attractive. Special plates for qualified disabled veterans will
11 have the "DISABLED VETERAN" wording on the license plates in preference to the words "SHOW-ME
12 STATE" and special plates for members of the national guard will have the "NATIONAL GUARD"
13 wording in preference to the words "SHOW-ME STATE".

14 2. The arrangement of letters and numbers of license plates shall be uniform throughout each
15 classification of registration. The director may provide for the arrangement of the numbers in groups or
16 otherwise, and for other distinguishing marks on the plates.

17 3. All property-carrying commercial motor vehicles to be registered at a gross weight in excess of
18 twelve thousand pounds, all passenger-carrying commercial motor vehicles, local transit buses, school
19 buses, trailers, semitrailers, motorcycles, motortricycles, motorscooters and driveaway vehicles shall be
20 registered with the director of revenue as provided for in subsection 3 of section 301.030, or with the state
21 highways and transportation commission as otherwise provided in this chapter, but only one license plate
22 shall be issued for each such vehicle, except as provided in this subsection. The applicant for registration
23 of any property-carrying commercial motor vehicle may request and be issued two license plates for such
24 vehicle, and if such plates are issued the director of revenue may assess and collect an additional charge
25 from the applicant in an amount not to exceed the fee prescribed for personalized license plates in
26 subsection 1 of section 301.144.

27 4. The plates issued to manufacturers and dealers shall bear the letters and numbers as prescribed
28 by section 301.560, and the director may place upon the plates other letters or marks to distinguish
29 commercial motor vehicles and trailers and other types of motor vehicles.

30 5. No motor vehicle or trailer shall be operated on any highway of this state unless it shall have
31 displayed thereon the license plate [or set of license plates] issued by the director of revenue or the state
32 highways and transportation commission and authorized by section 301.140. Each such plate shall be
33 securely fastened to the motor vehicle or trailer in a manner so that all parts thereof shall be plainly visible
34 and reasonably clean so that the reflective qualities thereof are not impaired. Each such plate may be
35 encased in a transparent cover so long as the plate is plainly visible and its reflective qualities are not
36 impaired. [License plates] The license plate shall be fastened to all motor vehicles except trucks, tractors,
37 truck tractors or truck-tractors licensed in excess of twelve thousand pounds on the [front and] rear of
38 such vehicles not less than eight nor more than forty-eight inches above the ground, with the letters and
39 numbers thereon right side up. The license plates on trailers, motorcycles, motortricycles and

1 motorscooters shall be displayed on the rear of such vehicles, with the letters and numbers thereon right
2 side up. The license plate on buses, other than school buses, and on trucks, tractors, truck tractors or
3 truck-tractors licensed in excess of twelve thousand pounds shall be displayed on the front of such
4 vehicles not less than eight nor more than forty-eight inches above the ground, with the letters and
5 numbers thereon right side up or if two plates are issued for the vehicle pursuant to subsection 3 of this
6 section, displayed in the same manner on the front and rear of such vehicles. The license plate or plates
7 authorized by section 301.140, when properly attached, shall be prima facie evidence that the required
8 fees have been paid.

9 6. (1) The director of revenue shall issue annually or biennially a tab [or set of tabs] as provided
10 by law as evidence of the annual payment of registration fees and the current registration of a vehicle in
11 lieu of the set of plates. Beginning January 1, 2010, the director may prescribe any additional information
12 recorded on the tab or tabs to ensure that the tab or tabs positively correlate with the license plate or plates
13 issued by the department of revenue for such vehicle. Such tabs shall be produced in each license bureau
14 office.

15 (2) The vehicle owner to whom a tab [or set of tabs] is issued shall affix and display such tab [or
16 tabs] in the designated area of the license plate[, no more than one per plate].

17 (3) A tab [or set of tabs] issued by the director of revenue when attached to a vehicle in the
18 prescribed manner shall be prima facie evidence that the registration fee for such vehicle has been paid.

19 (4) Except as otherwise provided in this section, the director of revenue shall issue plates for a
20 period of at least six years.

21 (5) For those commercial motor vehicles and trailers registered pursuant to section 301.041, the
22 plate issued by the highways and transportation commission shall be a permanent nonexpiring license
23 plate for which no tabs shall be issued. Nothing in this section shall relieve the owner of any vehicle
24 permanently registered pursuant to this section from the obligation to pay the annual registration fee due
25 for the vehicle. The permanent nonexpiring license plate shall be returned to the highways and
26 transportation commission upon the sale or disposal of the vehicle by the owner to whom the permanent
27 nonexpiring license plate is issued, or the plate may be transferred to a replacement commercial motor
28 vehicle when the owner files a supplemental application with the Missouri highways and transportation
29 commission for the registration of such replacement commercial motor vehicle. Upon payment of the
30 annual registration fee, the highways and transportation commission shall issue a certificate of registration
31 or other suitable evidence of payment of the annual fee, and such evidence of payment shall be carried at
32 all times in the vehicle for which it is issued.

33 (6) Upon the sale or disposal of any vehicle permanently registered under this section, or upon
34 the termination of a lease of any such vehicle, the permanent nonexpiring plate issued for such vehicle
35 shall be returned to the highways and transportation commission and shall not be valid for operation of
36 such vehicle, or the plate may be transferred to a replacement vehicle when the owner files a supplemental
37 application with the Missouri highways and transportation commission for the registration of such
38 replacement vehicle. If a vehicle which is permanently registered under this section is sold, wrecked or
39 otherwise disposed of, or the lease terminated, the registrant shall be given credit for any unused portion

1 of the annual registration fee when the vehicle is replaced by the purchase or lease of another vehicle
2 during the registration year.

3 7. The director of revenue and the highways and transportation commission may prescribe rules
4 and regulations for the effective administration of this section. No rule or portion of a rule promulgated
5 under the authority of this section shall become effective unless it has been promulgated pursuant to the
6 provisions of section 536.024.

7 8. Notwithstanding the provisions of any other law to the contrary, owners of motor vehicles
8 other than apportioned motor vehicles or commercial motor vehicles licensed in excess of eighteen
9 thousand pounds gross weight may apply for special personalized license plates. Vehicles licensed for
10 eighteen thousand pounds that display special personalized license plates shall be subject to the provisions
11 of subsections 1 and 2 of section 301.030.

12 9. No later than January 1, 2009, the director of revenue shall commence the reissuance of new
13 license plates of such design as directed by the director consistent with the terms, conditions, and
14 provisions of this section and this chapter. Except as otherwise provided in this section, in addition to all
15 other fees required by law, applicants for registration of vehicles with license plates that expire during the
16 period of reissuance, applicants for registration of trailers or semitrailers with license plates that expire
17 during the period of reissuance and applicants for registration of vehicles that are to be issued new license
18 plates during the period of reissuance shall pay the cost of the plates required by this subsection. The
19 additional cost prescribed in this subsection shall not be charged to persons receiving special license
20 plates issued under section 301.073 or 301.443. Historic motor vehicle license plates registered pursuant
21 to section 301.131 and specialized license plates are exempt from the provisions of this subsection.
22 Except for new, replacement, and transfer applications, permanent nonexpiring license plates issued to
23 commercial motor vehicles and trailers registered under section 301.041 are exempt from the provisions of
24 this subsection.

25 10. The provisions of this section regarding the issuance of only one license plate for a motor
26 vehicle shall apply to the issuance of personalized license plates.”; and
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28 Further amend said bill, Page 33, Section 301.142, Line 215, by inserting after all of said section and line,
29 the following:
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31 “301.144. 1. The director of revenue shall establish and issue special personalized license plates
32 containing letters or numbers or combinations of letters and numbers. Such license plates shall be made
33 with fully reflective material with a common color scheme and design, shall be clearly visible at night, and
34 shall be aesthetically attractive, as prescribed by section 301.130. Any person desiring to obtain a special
35 personalized license plate for any motor vehicle the person owns, either solely or jointly, other than an
36 apportioned motor vehicle or a commercial motor vehicle licensed in excess of eighteen thousand pounds
37 gross weight shall apply to the director of revenue on a form provided by the director and shall pay a fee
38 of fifteen dollars in addition to the regular registration fees. The director of revenue shall issue rules and
39 regulations setting the standards and establishing the procedure for application for and issuance of the

1 special personalized license plates and shall provide a deadline each year for the applications. Any rule or
2 portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in
3 this section shall become effective only if it complies with and is subject to all of the provisions of chapter
4 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the
5 powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date or
6 to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking
7 authority and any rule proposed or adopted after August 28, 2001, shall be invalid and void. No two
8 owners shall be issued identical plates. An owner shall make a new application and pay a new fee each
9 year such owner desires to obtain or retain special personalized license plates; however, notwithstanding
10 the provisions of subsection 8 of section 301.130 to the contrary, the director shall allow the special
11 personalized license plates to be replaced with new plates every three years without any additional charge,
12 above the fee established in this section, to the renewal applicant. Any person currently in possession of
13 an approved personalized license plate shall have first priority on that particular plate for each of the
14 following years that timely and appropriate application is made.

15 2. Upon application for a personalized plate by the owner of a motor vehicle for which the owner
16 has no registration plate available for transfer as prescribed by section 301.140, the director shall issue a
17 temporary permit authorizing the operation of the motor vehicle until the personalized plate is issued.

18 3. No personalized license plates shall be issued containing any letters, numbers or combination
19 of letters and numbers which are obscene, profane, patently offensive or contemptuous of a racial or
20 ethnic group, or offensive to good taste or decency, or would present an unreasonable danger to the health
21 or safety of the applicant, of other users of streets and highways, or of the public in any location where the
22 vehicle with such a plate may be found. The director may recall any personalized license plates, including
23 those issued prior to August 28, 1992, if the director determines that the plates are obscene, profane,
24 patently offensive or contemptuous of a racial or ethnic group, or offensive to good taste or decency, or
25 would present an unreasonable danger to the health or safety of the applicant, of other users of streets and
26 highways, or of the public in any location where the vehicle with such a plate may be found. Where the
27 director recalls such plates pursuant to the provisions of this subsection, the director shall reissue
28 personalized license plates to the owner of the motor vehicle for which they were issued at no charge, if
29 the new plates proposed by the owner of the motor vehicle meet the standards established pursuant to this
30 section. The director shall not apply the provisions of this statute in a way that violates the Missouri or
31 United States Constitutions as interpreted by the courts with controlling authority in the state of Missouri.
32 The primary purpose of motor vehicle license plates is to identify motor vehicles. Nothing in the issuance
33 of a personalized license plate creates a designated or limited public forum. Nothing contained in this
34 subsection shall be interpreted to prohibit the use of license plates, which are no longer valid for
35 registration purposes, as collector's items or for decorative purposes.

36 4. The director may also establish categories of special license plates from which license plates
37 may be issued. Any such person, other than a person exempted from the additional fee pursuant to
38 subsection 7 of this section, that desires a personalized special license plate from any such category shall
39 pay the same additional fee and make the same kind of application as that required by subsection 1 of this

1 section, and the director shall issue such plates in the same manner as other personalized special license
2 plates are issued.

3 5. The director of revenue shall issue to residents of the state of Missouri who hold an unrevoked
4 and unexpired official amateur radio license issued by the Federal Communications Commission, upon
5 application and upon payment of the additional fee specified in subsection 1 of this section, except for a
6 person exempted from the additional fee pursuant to subsection 7 of this section, personalized special
7 license plates bearing the official amateur radio call letters assigned by the Federal Communications
8 Commission to the applicant with the words "AMATEUR RADIO" in place of the words "SHOW-ME
9 STATE". The application shall be accompanied by a statement stating that the applicant has an unrevoked
10 and unexpired amateur radio license issued by the Federal Communications Commission and the official
11 radio call letters assigned by the Federal Communications Commission to the applicant. An owner
12 making a new application and paying a new fee to retain an amateur radio plate may request a replacement
13 plate with the words "AMATEUR RADIO" in place of the words "SHOW-ME STATE". If application is
14 made to retain a plate that is three years old or older, the replacement plate shall be issued upon the
15 payment of required fees.

16 6. Notwithstanding any other provision to the contrary, any business that repossesses motor
17 vehicles or trailers and sells or otherwise disposes of them shall be issued a placard displaying the word
18 "Repossessed", provided such business pays the license fees presently required of a manufacturer,
19 distributor, or dealer in section 301.560. Such placard shall bear a number and shall be in such form as
20 the director of revenue shall determine, and shall be only used for demonstrations when displayed
21 substantially as provided for number plates on the rear of the repossessed motor vehicle or trailer.

22 7. Notwithstanding any provision of law to the contrary, any person who has retired from any
23 branch of the United States armed forces or reserves, the United States Coast Guard or reserve, the United
24 States Merchant Marines or reserve, the National Guard, or any subdivision of any such services shall be
25 exempt from the additional fee required for personalized license plates issued pursuant to section 301.441.
26 As used in this subsection, "retired" means having served twenty or more years in the appropriate branch
27 of service and having received an honorable discharge.

28 8. The provisions of section 301.130 regarding the issuance of only one license plate for a motor
29 vehicle shall apply to personalized license plates issued under this section.”; and

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31 Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.