

HOUSE AMENDMENT NO. ____
TO
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Offered By

1 AMEND House Amendment No. ____ to House Committee Substitute for House Bill No. 1640
2 Page ____ Line ____
3 House Amendment No. ____ to House Committee Substitute for House Bill No. 1640 Page 6,
4 Line 26, by inserting after all of said line the following:
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6 “Further amend said bill, Page 1 through 3, Section 136.055, Lines 1 through 47, by
7 deleting all of said section and inserting in lieu thereof the following:

8 “136.055. 1. Any person who is selected or appointed by the state director of revenue as
9 provided in subsection 2 of this section to act as an agent of the department of revenue, whose
10 duties shall be the processing of motor vehicle title and registration transactions and the collection
11 of sales and use taxes when required under sections 144.070 and 144.440, and who receives no
12 salary from the department of revenue, shall be authorized to collect from the party requiring such
13 services additional fees as compensation in full and for all services rendered on the following
14 basis:

15 (1) For each motor vehicle or trailer registration issued, renewed or transferred--three
16 dollars and fifty cents and seven dollars for those licenses sold or biennially renewed pursuant to
17 section 301.147;

18 (2) For each application or transfer of title--two dollars and fifty cents;

19 (3) For each instruction permit, nondriver license, chauffeur's, operator's or driver's
20 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;

(4) For each notice of lien processed--two dollars and fifty cents;

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

2. The director of revenue shall award fee office contracts under this section through a competitive bidding process. The competitive bidding process shall give priority to organizations and entities located within the community where the office will be established that are exempt from taxation under Section 501(c)(3) or 501(c)(6) of the Internal Revenue Code of 1986, as amended, and political subdivisions, including but not limited to, municipalities, counties, and fire protection districts. Any not-for-profit entity awarded a contract under this section shall submit the most recent annual report, prior to February first of each year, to the director of the department of revenue, which shall contain from the immediately preceding year:

(1) The net receipts of the fee office;

(2) An itemization of all expenditures and administrative fees paid including both operating expenses and charitable contributions; and

(3) A list of all charities that benefit from the fees collected pursuant to this section.

Any not-for-profit entity awarded a contract under this section shall prominently display at their business location all charitable entities that will benefit from any fees collected pursuant to this section. The director of the department of revenue may promulgate rules and regulations necessary to carry out the provisions of this subsection. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this subsection shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective

1 date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of
2 rulemaking authority and any rule proposed or adopted after August 28, 2009, shall be invalid and
3 void.

4 3. All fees collected by a tax-exempt organization may be retained and used by the
5 organization.

6 4. All fees charged shall not exceed those in this section. The fees imposed by this
7 section shall be collected by all permanent offices and all full-time or temporary offices
8 maintained by the department of revenue.

9 5. Any person acting as agent of the department of revenue for the sale and issuance of
10 registrations, licenses, and other documents related to motor vehicles shall have an insurable
11 interest in all license plates, licenses, tabs, forms and other documents held on behalf of the
12 department.

13 6. The fees authorized by this section shall not be collected by motor vehicle dealers
14 acting as agents of the department of revenue under section 32.095 or those motor vehicle dealers
15 authorized to collect and remit sales tax under subsection 8 of section 144.070.

16 7. Notwithstanding any other provision of law to the contrary, the state auditor may audit
17 all records maintained and established by the fee office in the same manner as the auditor may
18 audit any agency of the state, and the department shall ensure that this audit requirement is a
19 necessary condition for the award of all fee office contracts. No confidential records shall be
20 divulged in such a way to reveal personally identifiable information. ”;and”; and
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22 Further amend said bill by amending the title, enacting clause, and intersectional references
23 accordingly.
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