

SECOND REGULAR SESSION

HOUSE BILL NO. 1451

96TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVES DENISON (Sponsor), MEADOWS, SOLON, LONG, ROWLAND, SHUMAKE, RUZICKA, FISHER, LAIR, CROSS, COOKSON, SCHOELLER, BURLISON, FRAKER, RIZZO, WELLS, FRANZ, POLLOCK, WALTON GRAY AND KORMAN (Co-sponsors).

4086L.011

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To repeal sections 136.055, 301.032, 301.130, 301.140, 301.160, 301.290, 301.300, 301.301, and 301.302, RSMo, and to enact in lieu thereof nine new sections relating to motor vehicle windshield stickers, with an effective date.

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

Section A. Sections 136.055, 301.032, 301.130, 301.140, 301.160, 301.290, 301.300, 2 301.301, and 301.302, RSMo, are repealed and nine new sections enacted in lieu thereof, to be 3 known as sections 136.055, 301.032, 301.130, 301.140, 301.160, 301.290, 301.300, 301.301, 4 and 301.302, to read as follows:

136.055. 1. Any person who is selected or appointed by the state director of revenue as 2 provided in subsection 2 of this section to act as an agent of the department of revenue, whose 3 duties shall be the processing of motor vehicle title and registration transactions and the 4 collection of sales and use taxes when required under sections 144.070 and 144.440, and who 5 receives no salary from the department of revenue, shall be authorized to collect from the party 6 requiring such services additional fees as compensation in full and for all services rendered on 7 the following basis:

8 (1) For each motor vehicle or trailer registration issued, renewed or transferred--three 9 dollars and fifty cents and seven dollars for those licenses sold or biennially renewed pursuant 10 to section 301.147;

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

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.

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

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

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

18 2. The director of revenue shall award fee office contracts under this section through a
19 competitive bidding process. The competitive bidding process shall give priority to
20 organizations and entities that are exempt from taxation under Section 501(c)(3) or 501(c)(6) of
21 the Internal Revenue Code of 1986, as amended, and political subdivisions, including but not
22 limited to, municipalities, counties, and fire protection districts. The director of the department
23 of revenue may promulgate rules and regulations necessary to carry out the provisions of this
24 subsection. Any rule or portion of a rule, as that term is defined in section 536.010, that is
25 created under the authority delegated in this subsection shall become effective only if it complies
26 with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028.
27 This section and chapter 536 are nonseverable and if any of the powers vested with the general
28 assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and
29 annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and
30 any rule proposed or adopted after August 28, 2009, shall be invalid and void.

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

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

36 5. Any person acting as agent of the department of revenue for the sale and issuance of
37 registrations, licenses, and other documents related to motor vehicles shall have an insurable
38 interest in all license plates, licenses, tabs, **window stickers**, forms and other documents held
39 on behalf of the department.

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

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

301.032. 1. Notwithstanding the provisions of sections 301.030 and 301.035 to the
2 contrary, the director of revenue shall establish a system of registration of all fleet vehicles
3 owned or purchased by a fleet owner registered pursuant to this section. The director of revenue
4 shall prescribe the forms for such fleet registration and the forms and procedures for the
5 registration updates prescribed in this section. Any owner of ten or more motor vehicles which
6 must be registered in accordance with this chapter may register as a fleet owner. All registered
7 fleet owners may, at their option, register all motor vehicles included in the fleet on a calendar
8 year or biennial basis pursuant to this section in lieu of the registration periods provided in
9 sections 301.030, 301.035, and 301.147. The director shall issue an identification number to
10 each registered owner of fleet vehicles.

11 2. All fleet vehicles included in the fleet of a registered fleet owner shall be registered
12 during April each year or on a prorated basis as provided in subsection 3 of this section. Fees
13 of all vehicles in the fleet to be registered on a calendar year basis or on a biennial basis shall be
14 payable not later than the last day of April of each year, with two years' fees due for
15 biennially-registered vehicles. Notwithstanding the provisions of section 307.355, an application
16 for registration of a fleet vehicle must be accompanied by a certificate of inspection and approval
17 issued no more than one hundred twenty days prior to the date of application. The fees for
18 vehicles added to the fleet which must be licensed at the time of registration shall be payable at
19 the time of registration, except that when such vehicle is licensed between July first and
20 September thirtieth the fee shall be three-fourths the annual fee, when licensed between October
21 first and December thirty-first the fee shall be one-half the annual fee and when licensed on or
22 after January first the fee shall be one-fourth the annual fee. When biennial registration is sought
23 for vehicles added to a fleet, an additional year's annual fee will be added to the partial year's
24 prorated fee.

25 3. At any time during the calendar year in which an owner of a fleet purchases or
26 otherwise acquires a vehicle which is to be added to the fleet or transfers plates to a fleet vehicle,
27 the owner shall present to the director of revenue the identification number as a fleet number and
28 may register the vehicle for the partial year as provided in subsection 2 of this section. The fleet
29 owner shall also be charged a transfer fee of two dollars for each vehicle so transferred pursuant
30 to this subsection.

31 4. Except as specifically provided in this subsection, all fleet vehicles registered pursuant
32 to this section shall be issued a special license plate which shall have the words "Fleet Vehicle"
33 in place of the words "Show-Me State" in the manner prescribed by the advisory committee
34 established in section 301.129. Alternatively, for a one-time additional five dollar per-vehicle
35 fee beyond the regular registration fee, owners of fleet vehicles may apply for fleet license plates
36 bearing a company name or logo. All fleet license plates shall be made with fully reflective

37 material with a common color scheme and design, shall be clearly visible at night, and shall be
38 aesthetically attractive, as prescribed by section 301.130. Fleet vehicles shall be issued multiyear
39 license plates as provided in this section which shall not require issuance of a renewal tab **or**
40 **window sticker**. Upon payment of appropriate registration fees, the director of revenue shall
41 issue a registration certificate or other suitable evidence of payment of the annual or biennial fee,
42 and such evidence of payment shall be carried at all times in the vehicle for which it is issued.
43 The director of revenue shall promulgate rules and regulations establishing the procedure for
44 application and issuance of fleet vehicle license plates.

45 5. Notwithstanding the provisions of sections 307.350 to 307.390 to the contrary, a fleet
46 vehicle registered in Missouri is exempt from the requirements of sections 307.350 to 307.390,
47 if at the time of the annual fleet registration, such fleet vehicle is situated outside the state of
48 Missouri.

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

14 2. The arrangement of letters and numbers of license plates shall be uniform throughout
15 each classification of registration. The director may provide for the arrangement of the numbers
16 in groups or 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
18 excess of twelve thousand pounds, all passenger-carrying commercial motor vehicles, local
19 transit buses, school buses, trailers, semitrailers, motorcycles, motortricycles, motorscooters and
20 driveaway vehicles shall be registered with the director of revenue as provided for in subsection
21 3 of section 301.030, or with the state highways and transportation commission as otherwise
22 provided in this chapter, but only one license plate shall be issued for each such vehicle.

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

26 5. No motor vehicle or trailer shall be operated on any highway of this state unless it
27 shall have displayed thereon the license plate or set of license plates issued by the director of
28 revenue or the state highways and transportation commission and authorized by section 301.140.
29 Each such plate shall be securely fastened to the motor vehicle or trailer in a manner so that all
30 parts thereof shall be plainly visible and reasonably clean so that the reflective qualities thereof
31 are not impaired. Each such plate may be encased in a transparent cover so long as the plate is
32 plainly visible and its reflective qualities are not impaired. License plates shall be fastened to
33 all motor vehicles except trucks, tractors, truck tractors or truck-tractors licensed in excess of
34 twelve thousand pounds on the front and rear of such vehicles not less than eight nor more than
35 forty-eight inches above the ground, with the letters and numbers thereon right side up. The
36 license plates on trailers, motorcycles, motortricycles and motorscooters shall be displayed on
37 the rear of such vehicles, with the letters and numbers thereon right side up. The license plate
38 on buses, other than school buses, and on trucks, tractors, truck tractors or truck-tractors licensed
39 in excess of twelve thousand pounds shall be displayed on the front of such vehicles not less than
40 eight nor more than forty-eight inches above the ground, with the letters and numbers thereon
41 right side up or if two plates are issued for the vehicle pursuant to subsection 3 of this section,
42 displayed in the same manner on the front and rear of such vehicles. The license plate or plates
43 authorized by section 301.140, when properly attached, shall be prima facie evidence that the
44 required fees have been paid.

45 6. (1) **Beginning January 1, 2013**, the director of revenue shall issue annually or
46 biennially a [tab or set of tabs] **window sticker, to be placed on the front windshield of the**
47 **motor vehicle**, as provided by law as evidence of the annual payment of registration fees and the
48 current registration of a vehicle in lieu of the set of plates. **Notwithstanding the provisions of**
49 **this section, motorcycles and trailers shall be issued license plate tabs in lieu of window**
50 **stickers.** Beginning January 1, 2010, the director may prescribe any additional information
51 recorded on the tab or tabs **or window sticker** to ensure that the tab or tabs **or the window**
52 **sticker** positively correlate with the license plate or plates issued by the department of revenue
53 for such vehicle. Such tabs **or window stickers** shall be produced in each license bureau office.

54 (2) [The vehicle owner to whom a tab or set of tabs is issued shall affix and display such
55 tab or tabs in the designated area of the license plate, no more than one per plate] **The window**
56 **sticker shall be placed on the inside front window in an area prescribed by the director of**
57 **revenue. Tabs issued to motorcycles and trailers shall be affixed and displayed in the**
58 **designated area of the license plate.**

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

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

64 (5) For those commercial motor vehicles and trailers registered pursuant to section
65 301.041, the plate issued by the highways and transportation commission shall be a permanent
66 nonexpiring license plate for which no tabs **or window sticker** shall be issued. Nothing in this
67 section shall relieve the owner of any vehicle permanently registered pursuant to this section
68 from the obligation to pay the annual registration fee due for the vehicle. The permanent
69 nonexpiring license plate shall be returned to the highways and transportation commission upon
70 the sale or disposal of the vehicle by the owner to whom the permanent nonexpiring license plate
71 is issued, or the plate may be transferred to a replacement commercial motor vehicle when the
72 owner files a supplemental application with the Missouri highways and transportation
73 commission for the registration of such replacement commercial motor vehicle. Upon payment
74 of the annual registration fee, the highways and transportation commission shall issue a
75 certificate of registration or other suitable evidence of payment of the annual fee, and such
76 evidence of payment shall be carried at all times in the vehicle for which it is issued.

77 (6) Upon the sale or disposal of any vehicle permanently registered under this section,
78 or upon the termination of a lease of any such vehicle, the permanent nonexpiring plate issued
79 for such vehicle shall be returned to the highways and transportation commission and shall not
80 be valid for operation of such vehicle, or the plate may be transferred to a replacement vehicle
81 when the owner files a supplemental application with the Missouri highways and transportation
82 commission for the registration of such replacement vehicle. If a vehicle which is permanently
83 registered under this section is sold, wrecked or otherwise disposed of, or the lease terminated,
84 the registrant shall be given credit for any unused portion of the annual registration fee when the
85 vehicle is replaced by the purchase or lease of another vehicle during the registration year.

86 7. The director of revenue and the highways and transportation commission may
87 prescribe rules and regulations for the effective administration of this section. [No rule or
88 portion of a rule promulgated under the authority of this section shall become effective unless
89 it has been promulgated pursuant to the provisions of section 536.024.] **Any rule or portion of**
90 **a rule, as that term is defined in section 536.010, that is created under the authority**
91 **delegated in this section shall become effective only if it complies with and is subject to all**
92 **of the provisions of chapter 536 and, if applicable, section 536.028. This section and**
93 **chapter 536 are nonseverable and if any of the powers vested with the general assembly**
94 **pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul**

95 **a rule are subsequently held unconstitutional, then the grant of rulemaking authority and**
96 **any rule proposed or adopted after August 28, 2012, shall be invalid and void.**

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

102 9. No later than January 1, 2009, the director of revenue shall commence the reissuance
103 of new license plates of such design as directed by the director consistent with the terms,
104 conditions, and provisions of this section and this chapter. Except as otherwise provided in this
105 section, in addition to all other fees required by law, applicants for registration of vehicles with
106 license plates that expire during the period of reissuance, applicants for registration of trailers
107 or semitrailers with license plates that expire during the period of reissuance and applicants for
108 registration of vehicles that are to be issued new license plates during the period of reissuance
109 shall pay the cost of the plates required by this subsection. The additional cost prescribed in this
110 subsection shall not be charged to persons receiving special license plates issued under section
111 301.073 or 301.443. Historic motor vehicle license plates registered pursuant to section 301.131
112 and specialized license plates are exempt from the provisions of this subsection. Except for new,
113 replacement, and transfer applications, permanent nonexpiring license plates issued to
114 commercial motor vehicles and trailers registered under section 301.041 are exempt from the
115 provisions of this subsection.

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

14 2. In the case of a transfer of ownership the original owner may register another motor
15 vehicle under the same number, upon the payment of a fee of two dollars, **and payment of a fee**

16 **as prescribed in section 301.300 for a replacement window sticker**, if the motor vehicle is
17 of horsepower, gross weight or (in the case of a passenger-carrying commercial motor vehicle)
18 seating capacity, not in excess of that originally registered. When such motor vehicle is of
19 greater horsepower, gross weight or (in the case of a passenger-carrying commercial motor
20 vehicle) seating capacity, for which a greater fee is prescribed, applicant shall pay a transfer fee
21 of two dollars, **the fee prescribed in section 301.300 for a replacement window sticker**, and
22 a pro rata portion for the difference in fees. When such vehicle is of less horsepower, gross
23 weight or (in case of a passenger-carrying commercial motor vehicle) seating capacity, for which
24 a lesser fee is prescribed, applicant shall not be entitled to a refund.

25 3. License plates may be transferred from a motor vehicle which will no longer be
26 operated to a newly purchased motor vehicle by the owner of such vehicles. The owner shall pay
27 a transfer fee of two dollars, **and payment of a fee as prescribed in section 301.300 for a**
28 **replacement window sticker**, if the newly purchased vehicle is of horsepower, gross weight or
29 (in the case of a passenger-carrying commercial motor vehicle) seating capacity, not in excess
30 of that of the vehicle which will no longer be operated. When the newly purchased motor
31 vehicle is of greater horsepower, gross weight or (in the case of a passenger-carrying commercial
32 motor vehicle) seating capacity, for which a greater fee is prescribed, the applicant shall pay a
33 transfer fee of two dollars, **the fee prescribed in section 301.300 for a replacement window**
34 **sticker**, and a pro rata portion of the difference in fees. When the newly purchased vehicle is
35 of less horsepower, gross weight or (in the case of a passenger-carrying commercial motor
36 vehicle) seating capacity, for which a lesser fee is prescribed, the applicant shall not be entitled
37 to a refund.

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

50 5. The temporary permit shall be made available by the director of revenue and may be
51 purchased from the department of revenue upon proof of purchase of a motor vehicle or trailer

52 for which the buyer has no registration plate available for transfer and upon proof of financial
53 responsibility, or from a dealer upon purchase of a motor vehicle or trailer for which the buyer
54 has no registration plate available for transfer. The director shall make temporary permits
55 available to registered dealers in this state or authorized agents of the department of revenue in
56 sets of ten permits. The fee for the temporary permit shall be seven dollars and fifty cents for
57 each permit or plate issued. No dealer or authorized agent shall charge more than seven dollars
58 and fifty cents for each permit issued. The permit shall be valid for a period of thirty days from
59 the date of purchase of a motor vehicle or trailer, or from the date of sale of the motor vehicle
60 or trailer by a dealer for which the purchaser obtains a permit as set out above. No permit shall
61 be issued for a vehicle under this section unless the buyer shows proof of financial responsibility.

62 6. The permit shall be issued on a form prescribed by the director and issued only for the
63 applicant's use in the operation of the motor vehicle or trailer purchased to enable the applicant
64 to legally operate the vehicle while proper title and registration plate are being obtained, and
65 shall be displayed on no other vehicle. Temporary permits issued pursuant to this section shall
66 not be transferable or renewable and shall not be valid upon issuance of proper registration plates
67 for the motor vehicle or trailer. The director shall determine the size and numbering
68 configuration, construction, and color of the permit.

69 7. The dealer or authorized agent shall insert the date of issuance and expiration date,
70 year, make, and manufacturer's number of vehicle on the permit when issued to the buyer. The
71 dealer shall also insert such dealer's number on the permit. Every dealer that issues a temporary
72 permit shall keep, for inspection of proper officers, a correct record of each permit issued by
73 recording the permit or plate number, buyer's name and address, year, make, manufacturer's
74 vehicle identification number on which the permit is to be used, and the date of issuance.

75 8. Upon the transfer of ownership of any currently registered motor vehicle wherein the
76 owner cannot transfer the license plates due to a change of vehicle category, the owner may
77 surrender the license plates issued to the motor vehicle and receive credit for any unused portion
78 of the original registration fee against the registration fee of another motor vehicle. Such credit
79 shall be granted based upon the date the license plates are surrendered. No refunds shall be made
80 on the unused portion of any license plates surrendered for such credit.

301.160. Upon approval of the application for registration of a motor vehicle or trailer
2 and when the required fee has been paid to the department of revenue, the department shall
3 forward or deliver to the applicant the registration receipt and the number of license plates
4 prescribed for the vehicle or trailer by section 301.130, or renewal tabs **or window stickers** if
5 appropriate. The attachment to the motor vehicle or trailer specified in the application of current
6 license plates shall be prima facie evidence that the fees have been paid for such license.

301.290. 1. Correctional enterprises of the department of corrections shall purchase, erect and maintain all of the machinery and equipment necessary for the manufacture of the license plates [and] , tabs, **and window stickers** issued by the director of revenue, and of signs used by the state transportation department. [Beginning on January 1, 2011, correctional enterprises shall no longer erect and maintain tabs for the department of revenue.]

2. The director of revenue shall procure all plates issued by [him] **the director**, and the state transportation department shall procure all signs used by it from correctional enterprises, unless an emergency arises and correctional enterprises cannot furnish the plates, tabs, **window stickers**, or signs.

3. Correctional enterprises shall furnish the plates and signs at such a price as will not exceed the price at which such plates and signs may be obtained upon the open market, but in no event shall such price be less than the cost of manufacture, including labor and materials.

4. All moneys derived from the sale of the plates, tabs, **window stickers**, and signs shall be paid into the state treasury to the credit of the working capital revolving fund as provided in section 217.595.

301.300. 1. In event of the loss, theft, mutilation or destruction of any certificate of ownership, number plate, tab [or set of tabs] **or window sticker** issued by the director of revenue, the lawful holder thereof shall, within five days, file with the director of revenue, an affidavit showing such fact, and shall, on the payment of a fee of eight dollars and fifty cents, obtain a duplicate or replacement of such plate, certificate, tab [or set of tabs] **or window sticker**. Any duplicate certificate issued for any "motor vehicle primarily for business use", as defined in section 301.010, shall be issued only to the owner of record.

2. Upon filing affidavit of lost, stolen, mutilated or destroyed certificate of registration, the director of revenue shall issue to the lawful owner a duplicate or replacement thereof upon payment of a fee of eight dollars and fifty cents.

3. Vehicle owners who elect not to transfer or renew multiyear plates shall be charged a fee equal to that charged for a lost plate in addition to the registration fee prescribed by law at the time the new plate or plates are issued.

4. Notwithstanding subsection 1 of this section, a new or used motor vehicle dealer may obtain a duplicate or replacement title in the owner's name if the owner's title has been lost, stolen, mutilated, or destroyed and is not available for assignment. In order to obtain the duplicate or replacement title from the department of revenue, the licensed dealer shall procure a power of attorney from the owner authorizing the dealer to obtain a duplicate or replacement title in the owner's name and sign any title assignments on the owner's behalf. The application to the department of revenue for the duplicate or replacement title shall be accompanied by the executed power of attorney, or a copy thereof, and the application shall contain the appropriate

22 mailing address of the dealer. The director of the department of revenue is authorized to make
23 all necessary rules and regulations for the administration of this subsection, and shall design all
24 necessary forms required by this subsection. No rule or portion of a rule promulgated pursuant
25 to the authority of this section shall become effective unless it has been promulgated pursuant
26 to the provisions of chapter 536. Any rule or portion of a rule, as that term is defined in section
27 536.010, that is created under the authority delegated in this section shall become effective only
28 if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section
29 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the
30 general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove
31 and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority
32 and any rule proposed or adopted after August 28, 2005, shall be invalid and void.

301.301. 1. Any person replacing a stolen license plate tab **or window sticker** issued
2 on or after January 1, 2009, may receive at no cost up to two [sets of two] license plate tabs **or**
3 **window stickers** per year when the application for the replacement tab **or sticker** is
4 accompanied with a police report that is corresponding with the stolen license plate tab **or**
5 **window sticker**.

6 2. Any person replacing a stolen license plate tab issued prior to January 1, 2009, may
7 receive at no cost up to two sets of two license plate tabs per year when the application for the
8 replacement tab is accompanied with a notarized affidavit verifying that such license plate tab
9 or tabs were stolen.

301.302. A citation shall not be issued to any person stopped by law enforcement for a
2 missing license plate tab or [tabs] **window sticker** if such person indicates that the tab or [tabs
3 have] **window sticker has** been stolen and a check on such person's vehicle registration reveals
4 that the vehicle is properly registered. A law enforcement officer may issue a warning under
5 these circumstances. In the event a citation is improperly issued to a person for a missing [tabs]
6 **tab or window sticker** when the requirements of this section are met, any court costs shall be
7 waived.

Section B. This act shall become effective January 1, 2013.

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