

SECOND REGULAR SESSION

# HOUSE BILL NO. 1213

## 96TH GENERAL ASSEMBLY

---

INTRODUCED BY REPRESENTATIVES FRANKLIN (Sponsor), WHITE, WYATT, LANT, CAUTHORN,  
DAVIS AND REIBOLDT (Co-sponsors).

4554L.011

D. ADAM CRUMBLISS, Chief Clerk

---

### AN ACT

To repeal section 136.055, RSMo, and to enact in lieu thereof one new section relating to fee office contracts.

---

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

Section A. Section 136.055, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 136.055, to read as follows:

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

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

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

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

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.

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

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

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

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

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

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

✓