

SECOND REGULAR SESSION

# HOUSE BILL NO. 1613

## 96TH GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVES FRANKLIN (Sponsor), BROWN (116), LANT, REIBOLDT,  
BROWN (85), WHITE, SCHATZ, HOUGHTON, SCHNEIDER AND FISHER (Co-sponsors).

5022L.02I

D. ADAM CRUMBLISS, Chief Clerk

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### AN ACT

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

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*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Section A. Section 136.055, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 136.055, to read as follows: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 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. **Any not-for-profit entity  
23 awarded a contract under this section shall submit an annual report, prior to February  
24 first of each year, to the director of the department of revenue, the speaker of the house of  
25 representatives, and the president pro tem of the senate, which shall contain from the  
26 immediately preceding year:**

27 (1) **The net receipts of the fee office; and**

28 (2) **An itemization of all expenditures including both operating expenses and  
29 charitable contributions.**

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31 The director of the department of revenue may promulgate rules and regulations necessary to  
32 carry out the provisions of this subsection. Any rule or portion of a rule, as that term is defined  
33 in section 536.010, that is created under the authority delegated in this subsection shall become  
34 effective only if it complies with and is subject to all of the provisions of chapter 536 and, if  
35 applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the  
36 powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective  
37 date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of  
38 rulemaking authority and any rule proposed or adopted after August 28, 2009, shall be invalid  
39 and void.

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

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

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

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

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

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