

SECOND REGULAR SESSION

HOUSE BILL NO. 1958

96TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVES SCHUPP (Sponsor), KIRKTON, McNEIL, TAYLOR,
PIERSON AND CARLSON (Co-sponsors).

6208L.011

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To repeal section 301.140, RSMo, and to enact in lieu thereof one new section relating to temporary license plates.

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

Section A. Section 301.140, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 301.140, to read as follows:

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

2. In the case of a transfer of ownership the original owner may register another motor vehicle under the same number, upon the payment of a fee of two dollars, if the motor vehicle is of horsepower, gross weight or (in the case of a passenger-carrying commercial motor vehicle) seating capacity, not in excess of that originally registered. When such motor vehicle is of

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.

17 greater horsepower, gross weight or (in the case of a passenger-carrying commercial motor
18 vehicle) seating capacity, for which a greater fee is prescribed, applicant shall pay a transfer fee
19 of two dollars and a pro rata portion for the difference in fees. When such vehicle is of less
20 horsepower, gross weight or (in case of a passenger-carrying commercial motor vehicle) seating
21 capacity, for which a lesser fee is prescribed, applicant shall not be entitled to a refund.

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

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

45 5. The temporary permit shall be made available by the director of revenue and may be
46 purchased from the department of revenue upon proof of purchase of a motor vehicle or trailer
47 for which the buyer has no registration plate available for transfer and upon proof of financial
48 responsibility, or from a dealer upon purchase of a motor vehicle or trailer for which the buyer
49 has no registration plate available for transfer. The director shall make temporary permits
50 available to registered dealers in this state or authorized agents of the department of revenue in
51 sets of ten permits. The fee for the temporary permit shall be seven dollars and fifty cents for
52 each permit or plate issued. No dealer or authorized agent shall charge more than seven dollars

53 and fifty cents for each permit issued. The permit shall be valid for a period of thirty days from
54 the date of purchase of a motor vehicle or trailer, or from the date of sale of the motor vehicle
55 or trailer by a dealer for which the purchaser obtains a permit as set out above. No permit shall
56 be issued for a vehicle under this section unless the buyer shows proof of financial responsibility.

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

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

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

76 **9. An additional temporary license plate that matches an existing or newly issued**
77 **plate may be purchased by a motor vehicle owner to be placed in the vehicle's back window**
78 **to serve as the visible plate when a bicycle rack or other item obstructs the view of the**
79 **actual plate. The fee charged for the temporary plate shall be equal to the fee charged for**
80 **a temporary permit issued under section 301.140. The newly produced third plate may**
81 **only be used on the vehicle with the matching plate, and the additional plate shall be**
82 **clearly recognizable as a third plate and only used for the purpose specified in this**
83 **subsection.**

84 **10. The director may promulgate all necessary rules and regulations for the**
85 **administration of this section, including recommended placement of the temporary plate**
86 **within the vehicle's back window. Any rule or portion of a rule, as that term is defined in**
87 **section 536.010, that is created under the authority delegated in this section shall become**
88 **effective only if it complies with and is subject to all of the provisions of chapter 536 and,**

89 **if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of**
90 **the powers vested with the general assembly pursuant to chapter 536 to review, to delay**
91 **the effective date, or to disapprove and annul a rule are subsequently held**
92 **unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted**
93 **after August 28, 2012, shall be invalid and void.**

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