

SECOND REGULAR SESSION

HOUSE BILL NO. 2385

98TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE KORMAN.

6092H.011

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To amend chapter 301, RSMo, by adding thereto one new section relating to transportation funding, with a referendum clause.

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

Section A. Chapter 301, RSMo, is amended by adding thereto one new section, to be known as section 301.045, to read as follows:

301.045. 1. Beginning January 1, 2018, in addition to all other registration fees required under state law, the department of revenue may charge and collect a "miles driven" fee in the amount of up to two hundred dollars for a one-year registration and up to four hundred dollars for a two-year registration to each owner registering or renewing the registration of a motor vehicle with a model year of 2018 or later as required under this chapter.

2. At the time of the issuance of registration, an odometer reading shall be recorded by the department which shall be either taken from the bill of sale or certificate of title of vehicle if newly acquired, or from the official odometer reading at the motor vehicle's most recent safety inspection, or other method approved by the department to verify the vehicle mileage.

3. Upon registration renewal, the owner registering the motor vehicle shall be entitled to a prorated credit against the miles driven fee for that registration period. The department shall set such a credit; however, no credit nor an additional charge shall be allowed for any motor vehicles that travel greater than twenty thousand miles during the preceding one-year registration period or forty thousand miles during the preceding two-year registration period. The odometer reading used to determine credit eligibility shall

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.

18 be the official odometer reading recorded at the time of the motor vehicle's most recent
19 safety inspection; provided, however, that no global positioning system or other technology
20 that identifies and records the motor vehicle's location at all times shall be required to be
21 used to monitor mileage traveled by any motor vehicle on any road, highway, or street in
22 this state for the purpose of imposing this fee or any state tax on the mileage traveled by
23 such motor vehicle.

24 4. If not expressly prohibited under federal law, the department may collect a flat
25 fee or a miles driven fee from vehicles that travel in the state but that are not registered in
26 the state.

27 5. Revenue from the fee collected under this section shall be deposited into the state
28 road fund to be used and expended as provided by article IV, section 30(b) of the
29 Constitution of Missouri.

30 6. The director of the department of revenue may promulgate all necessary rules
31 for the administration of this section. Any rule or portion of a rule, as that term is defined
32 in section 536.010, that is created under the authority delegated in this section shall become
33 effective only if it complies with and is subject to all of the provisions of chapter 536 and,
34 if applicable, section 536.028. This section and chapter 536 are nonseverable, and if any
35 of the powers vested with the general assembly pursuant to chapter 536 to review, to delay
36 the effective date, or to disapprove and annul a rule are subsequently held
37 unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted
38 after August 28, 2015, shall be invalid and void.

Section B. Section A of this act is hereby submitted to the qualified voters of this state
2 for approval or rejection at an election which is hereby ordered and which shall be held and
3 conducted on the Tuesday immediately following the first Monday in November, 2016, or at a
4 special election to be called by the governor for that purpose, pursuant to the laws and
5 constitutional provisions of this state applicable to general elections and the submission of
6 referendum measures by initiative petition, and it shall become effective when approved by a
7 majority of the votes cast thereon at such election and not otherwise.

✓