

AN ORDINANCE REQUIRING ANNUAL REGISTRATION OF MOTOR VEHICLES WITH THE DEPARTMENT OF REVENUE AND LICENSE PLATES ON MOTOR VEHICLES

BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF ST. MARY, MISSOURI, AS FOLLOWS:

SECTION ONE: DEFINITIONS

(a) **Bus** shall mean a motor vehicle primarily for the transportation of a driver and eight or more passengers but not including shuttle buses.

(b) **Commercial Motor Vehicle** shall mean a motor vehicle designed or regularly used for carrying freight and merchandise, or more than eight passengers but no including vanpools or shuttle buses.

(c) **Dealer** shall mean any person, firm, corporation, association, agent or subagent engaged in the sale or exchange of new, used or reconstructed motor vehicles or trailers.

(d) **Director of Revenue** shall mean the director of the department of Revenue.

(e) **Gross Weight** shall mean the weight of vehicle and/or vehicle combination without load, plus the weight of any load thereon.

(f) **Highway** shall mean any public thoroughfare for vehicles, including state roads, county roads and public streets, avenues, boulevards, parkways or alleys in any municipality.

(g) **Local transit bus** shall mean a bus whose operations are confined wholly within a municipal corporation, or wholly within a municipal corporation and a commercial zone adjacent thereto, forming a part of a public transportation system within such municipal corporation and such municipal corporation and adjacent commercial zone.

(h) **Manufacturer** shall mean any person, firm, corporation or association engaged in the business of manufacturing or assembling motor vehicles for sale.

(i) **Motorcycle** shall mean a motor vehicle operated on two wheels.

(j) **Motortricycle** shall mean a motor vehicle operated on three wheels, including a motorcycle while operated with any conveyance, temporary or otherwise, requiring the use of a third wheel.

(k) **Motor Vehicle** shall mean any self-propelled vehicle not operated exclusively upon tracks, except farm tractors and all-

terrain vehicles.

(l) **Owner** shall mean any person, firm, corporation or association, who holds the legal title to a vehicle or in the event a vehicle is the subject of an agreement for the conditional sale or lease thereof with the right of purchase upon performance of the conditions stated in the agreement and with an immediate right of possession vested in the conditional vendee or lessee, or in the event a mortgagor of a vehicle is entitled to possession, then such conditional vendee or lessee or mortgagor shall be deemed the owner for the purpose of this law.

(m) **Reconstructed Motor Vehicle** shall mean a motor vehicle which has received damage and is repaired, assembled, or reconstructed by means of three or more new or used major component parts, including but not limited to such major component parts that have been derived from other motor vehicles, or makes of motor vehicles.

(n) **School bus** shall mean any motor vehicle used solely to transport students to or from school or to transport students to or from any place for educational purposes.

(o) **Shuttle bus** shall mean a motor vehicle used or maintained by any person, firm, or corporation as an incidental service to transport patrons or customers of the regular business of such person, firm, or corporation to and from the place of business of the person, firm, or corporation providing the service at no fee or charge. Shuttle buses shall not be registered as buses or as commercial motor vehicles.

(p) **Specially constructed motor vehicle** shall mean a motor vehicle which shall not have been originally constructed under a distinctive name, make, model or type by a manufacturer of motor vehicles.

(q) **Trailer** shall mean any vehicle without motive power designed for carrying property or passengers on its own structure and for being drawn by a self-propelled vehicle, except those running exclusively on tracks, including a semi-trailer or vehicle of the trailer type so designed and used in conjunction with a self-propelled vehicle that a considerable part of its own weight rests upon and is carried by the towing vehicle. The term "trailer" shall not include cotton trailers and shall not include manufactured homes.

(r) **Truck** shall mean a motor vehicle designed, used, or maintained for the transportation of property.

(s) **Vanpool** shall mean any van or other motor vehicle used or maintained by any person, group, firm, corporation, association, city, county or state agency, or any member thereof, for the transportation of not less than eight nor more than forty-eight employees, per motor vehicle, to and from their place of employment; however, a vanpool shall not be included in the

definition of the term "bus" or "commercial motor vehicle", nor shall a vanpool driver be deemed a "chauffeur"; nor shall use of a vanpool vehicle for ride-sharing arrangements, recreational, personal, or maintenance uses constitute an unlicensed use of the motor vehicle, unless used for monetary profit other than for use in a ride-sharing arrangement.

(t) Vehicle shall mean any mechanical device on wheels, designed primarily for use on highways, except motorized bicycles and vehicles propelled or drawn by human power, or vehicles used exclusively on fixed rails or tracks or cotton trailers.

SECTION TWO: The director of revenue, upon receipt of a proper application for registration, required fees and any other information which may be required by law, shall issue to the applicant a certificate of registration in such manner and form as the director of revenue may prescribe and a set of license plates, or other evidence of registration, as provided herein. Each set of license plates shall bear the name or abbreviated name of this state, the words "Show-me State", the month and year in which the registration shall expire, and an arrangement of numbers or letters, or both, as shall be assigned from year to year by the director of revenue. Special plates for qualified disabled veterans will have the "DISABLED VETERAN" wording on the license plates in preference to the words "Show-me State" and special plates for members of the national guard will have the "NATIONAL GUARD" wording in preference to the words "Show-me State".

SECTION THREE: The arrangement of letters and numbers of license plates shall be uniform throughout each classification of registration.

SECTION FOUR: The background of all license plates, or the letters and numerals thereof, shall be coated with a material which will reflect the lights of other vehicles. The nature and specifications of this material shall be determined after a public hearing by the director of revenue, director of prison industries, and superintendent of the state highways and transportation department.

SECTION FIVE: Figures on license plates except those which may be used to designate gross weights for which commercial motor vehicles are registered, shall not be less than three inches in height and the strokes thereof not less than five-sixteenths of an inch in width. In the case of motorcycles and motortricycles the letters and figures shall be not less than one inch in height and the strokes thereof one-eighth of an inch in width. The director may provide for the arrangement of the numbers in groups or otherwise, and for other distinguishing marks on the plates.

SECTION SIX: All property-carrying commercial motor vehicles to be registered at a gross weight in excess of twelve thousand pounds, all passenger-carrying commercial motor vehicles, local transit buses, school buses, trailers, semitrailers, motorcycles, motortricycles, motorscooters and driveway vehicles shall be

registered with the director, but only one license plate shall be issued for each such vehicle.

SECTION SEVEN: The plates issued to manufactures and dealers shall bear the letter "D" preceding the number, and the director may place upon the plates other letters or marks to distinguish commercial motor vehicles and trailers and other types of motor vehicles.

SECTION EIGHT: No motor vehicle or trailer shall be operated on any highway of this state unless it shall have displayed thereon the license plate or set of license plates issued by the director of revenue. Each such plate shall be securely fastened to the motor vehicle in a manner so that all parts thereof shall be plainly visible and reasonably clean so that the reflective qualities thereof are not impaired. License plates shall be fastened to all motor vehicles except trucks, tractors, truck tractors or truck-tractors licensed in excess of twelve thousand pounds on the front and rear of such vehicles not less than eight nor more than forty-eight inches above the ground, with the letters and numbers thereon right side up. The license plates on trailers, motorcycles, motortricycles and motorscooters shall be displayed on the rear of such vehicles, with the letters and numbers thereon right side up. The license plate on trucks, tractors, truck tractors or truck-tractors licensed in excess of twelve thousand pounds shall be displayed on the front of such vehicles not less than eight nor more than forty-eight inches above the ground, with the letters and numbers thereon right side up. The license plate or plates when properly attached shall be prima facie evidence that the required fees have been paid.

SECTION NINE:

(1) The director of revenue shall issue annually a tab or set of tabs as evidence of the annual payment of registration fees and the current registration of a vehicle in lieu of the set of plates; except that the director shall annually issue a new license plate or set of plates as provided in this section for vehicles registered pursuant to subsection 2 of section 301.277, commercial motor vehicles in excess of twelve thousand pounds, trailers, buses and dealers.

(2) The vehicle owner to whom a tab or set of tabs is issued shall affix and display such tab or tabs on the middle of the license plate, no more than one per plate.

(3) A tab or set of tabs issued by the director when attached to a vehicle in the prescribed manner shall be prima facie evidence that the registration fee for such vehicle has been paid.

(4) Except as provided in subdivision (1) of this subsection, the director of revenue shall issue plates for a period of at least five years.

SECTION TEN: The director of revenue may prescribe rules and regulations for the effective administration of this section.

SECTION ELEVEN: Any rule or portion of a rule promulgated pursuant to this section may be suspended by the joint committee on administrative rules if after hearing thereon the committee finds that such rule or portion of the rule is beyond or contrary to the statutory authority of the agency which promulgated the rule, or is inconsistent with the legislative intent of the authorizing statute. The general assembly may reinstate such rule by concurrent resolution signed by the governor.

SECTION TWELVE: Every owner of a motor vehicle or trailer, which shall be operated or driven upon the highways of this state, except as herein otherwise expressly provided, shall annually file, by mail or otherwise, in the office of the director of revenue, an application for registration on a blank to be furnished by the director of revenue for that purpose containing:

(1) A brief description of the motor vehicle to be registered, including the name of the manufacturer, the manufacturer's or other identifying number, and character, and amount of motive power, stated in figures of horsepower;

(2) The name, residence and business address of the owner of such motor vehicle;

(3) The gross weight of the vehicle and the desired load in pounds if the vehicle is a commercial motor vehicle or trailer;

(4) If such motor vehicle be a specially constructed motor vehicle or reconstructed motor vehicle, the application shall so state and the owner shall furnish the director of revenue such additional information as he shall require.

SECTION THIRTEEN: If the vehicle qualifies as a reconstructed motor vehicle, the certificate of title shall be surrendered by the owner of the vehicle or the lienholder of the title when notified by the director of revenue, who shall appropriately designate "Reconstructed Motor Vehicle" on the current and all subsequent issues of the certificate of title to such vehicle.

SECTION FOURTEEN: Every insurance company which pays a claim for repair of a motor vehicle which as the result of such repairs becomes a reconstructed motor vehicle, shall in writing notify the claimant, if he is the owner of the vehicle, and the lienholder if a lien is in effect, that he is required to surrender the certificate of title to the director of revenue when notified by the director as provided in subsection 2 of this section. The insurance company shall within thirty days of the payment of such claims report to the director of revenue the name and address of such claimant, the year, make model, vehicle identification number, and license plate number of the vehicle, and the date of loss and payment.

SECTION FIFTEEN: Anyone who fails to comply with the requirement of this section shall be guilty of a class B

misdemeanor.

SECTION SIXTEEN: This Ordinance shall be in full force and effect from and after its passage.

SECTION SEVENTEEN: All Ordinances and parts thereof in conflict with this Ordinance are hereby repealed to the extent of such inconsistency.

SECTION EIGHTEEN: The invalidity of any section, clause, sentence, or provision of this Ordinance shall not affect the validity of any other part of this ordinance which can be given effect without such invalid part or parts.

READ THREE TIMES AND PASSED THIS 16th DAY OF August, 1988.

Robert L. Grass
MAYOR

ATTEST:

Jo Ann E. Donze
CITY CLERK

<u>ALDERMEN</u>	<u>AYE</u>	<u>NAY</u>	<u>ABSTAIN</u>	<u>ABSENT</u>
Francis Bader	X			
Henry Coffman			X	
Robert Schultz	X			
Stephen Schwent	X			

I, JoAnn E. Donze, Clerk of the City of St. Mary, Missouri, do hereby certify that the foregoing ordinance was duly passed and adopted by the Board of Aldermen of the City of St. Mary, Missouri at a regular meeting thereof assembled this the 16th day of August, 1988.

Jo Ann E. Donze
CITY CLERK