

MOTOR VEHICLE REGISTRATION:
LICENSES:
DEPARTMENT OF REVENUE:

Subsection 1 of Section 301, RSMo 1959, prohibits any person from transferring his license plate to another person except for a period of fifteen days following the sale of a motor vehicle.

OPINION NO. 21
259 (1966)

November 2, 1967

Honorable Alden S. Lance
Prosecuting Attorney
Andrew County
415 West Main Street
Savannah, Missouri 64485



Dear Mr. Lance:

This is in answer to your request for an opinion of this office which request reads as follows:

"1. Section 301.140, RSMo., 1959, As Amended, provides for the transfer of motor vehicles and the expiration of the right to use the number plates. My question is as follows: The local office of the Department of Revenue has transferred the registration plates from one individual to his brother-in-law. We seem to be getting conflicting opinions from the Department of Revenue as to whether or not they are approving such actions. Can such transfers of registration plates be accomplished under present Missouri law?

"Also, can such transfers be accomplished under Missouri law as between husband and wife, or between a minor and an adult who may be holding the title to the motor vehicle in his or her name as purely a convenience for the minor?"

We only consider the situation where any of the above named persons have a car registered in their individual name and attempt to transfer registration to one of the designated persons again in an individual name.

Subsection 1 of Section 301.140, RSMo 1959, is applicable and reads as follows:

Honorable Alden S. Lance

"1. Upon the transfer or 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; except that the seller may give the buyer written permission to use such plates for a period of fifteen days, in which event the buyer shall have and display on demand of any proper officer said written consent of previous owner, together with an affidavit or other proof that he has made application for registration. At the expiration of this fifteen day period the said number plates shall be returned to the original owner."

It has been held that the provisions for transfer are mandatory, State ex rel. Connecticut Fire Ins. Co. v. Cox, 306 Mo., 537, 552, 268 S.W. 87, 37 A.L.R. 1456; Pearl v. Interstate Securities Co., Mo.App., 198 S.W.2d 867, reversed on other grounds, 357 Mo. 160, 206 S.W.2d 975, and should be strictly construed, Peper v. American Exchange National Bank in St. Louis, Mo.App., 205 S.W.2d 215, affirmed 210 S.W.2d 41.

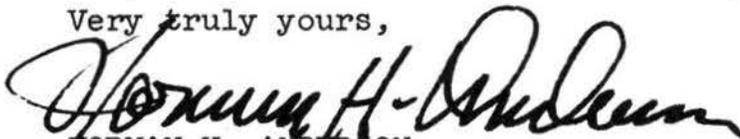
Accordingly, we construe the plain terms of the statute to mean that none of the persons you inquire about may have their registration plates transferred to another person except of course for the fifteen day period prescribed.

CONCLUSION

It is the opinion of this office that subsection 1 of Section 301, RSMo 1959, prohibits any person from transferring his license plate to another person except for a period of fifteen days following the sale of a motor vehicle.

The foregoing opinion, which I hereby approve, was prepared by my Assistant, Walter W. Nowotny, Jr.

Very truly yours,


NORMAN H. ANDERSON
Attorney General