

TITLE 12—DEPARTMENT OF REVENUE
Division 10—Director of Revenue
Chapter 23—Motor Vehicle

12 CSR 10-23.185 Obscene License Plates

PURPOSE: This rule supplements the guidelines for review and approval of personalized motor vehicle license plates prior to issuance.

(1) Language or symbols which are obscene or profane are not protected by the United States or Missouri Constitution. The language or symbols shall not be allowed on any personalized motor vehicle license plate issued under the provisions of section 301.144, RSMo. In determining whether or not requests for personalized motor vehicle license plates contain language or symbols which are obscene or profane, the Department of Revenue will use the standards in section (2).

(2) The following terms, as used in this rule, shall be defined as follows:

(A) Obscene—Language or symbols which represent or describe ultimate excretory functions or sexual acts in a patently offensive manner or make lewd reference to the male or female sexual organs and appeal to the prurient interests of the average person applying contemporary community standards (see *Miller v. California*, 415 U.S. 15, 93 S.Ct. 2607 (1973)). Prurient interests, as used in this definition, shall mean shameful or morbid interest in nudity, sex, or excretion that goes substantially beyond customary limits or candor in description or representation of these matters (see *Haldeman v. United States*, C.A. Kan., 340 F2d 59 (10th Cir., 1965)); and

(B) Profane—Language or symbols which are irreverent or contemptuous of things regarded as sacred or that imply divine condemnation (see *Baker v. State*, 16 Ariz. App. 463, 494 P2d, 68 (1972) and *Duncan v. United States*, 48 F2d 128 (9th Cir., 1931)).

(3) No motor vehicle license plate will be issued by the Department of Revenue if the language or symbols on the plate are obscene, profane, patently offensive or contemptuous of a racial or ethnic group, or offensive to good taste or decency, or would present an unreasonable danger to the applicant or public. In order to make this determination, the Department of Revenue will look to the way the average person applying contemporary community standards would view the license plate. Factors which the Department of Revenue may consider in this regard include, but are not limited to—

(A) An explanation by the registrant as to why they chose particular language or symbols to be on their personalized motor vehicle license plate;

(B) Complaints from the public regarding a license plate with the same letters, numbers, or symbols as that requested or held by the registrant;

(C) Complaints from the public regarding a license plate with similar letters, numbers, or symbols as that requested or held by the registrant;

- (D) Dictionary definitions of the language or symbols requested by the registrant;
- (E) Information from other states regarding motor vehicle plates which have not been issued by them because they found them to be obscene or profane; and
- (F) Review of the configuration of the plate backwards.

*AUTHORITY: section 301.144, RSMo 2016. * Original rule filed Jan. 6, 1986, effective April 11, 1986. Emergency amendment filed Jan. 2, 1992, effective Jan. 12, 1992, expired May 10, 1992. Amended: Filed Jan. 2, 1992, effective May 14, 1992. Amended: Filed May 30, 2023, effective Dec. 30, 2023. Amended: Filed Aug. 18, 2025, effective Feb. 28, 2026.*

**Original authority: 301.144, RSMo 1977, amended 1979, 1983, 1984, 1989, 1992, 1993, 1995, 1995, 2001, 2002, 2004, 2007, 2016.*