

## CONFERENCE COMMITTEE SUBSTITUTE

FOR

SENATE BILL NO. 8

AN ACT

To repeal sections 142.800, 142.803, 142.869, 287.020, 287.040, 288.035, 301.010, 301.031, 301.062, 301.227, 301.550, 304.005, 304.022, 304.120, 304.170, 304.180, 307.175, and 407.816, RSMo, and to enact in lieu thereof nineteen new sections relating to transportation, with existing penalty provisions and an emergency clause for certain sections.

---

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF MISSOURI,  
AS FOLLOWS:

1           Section A. Sections 142.800, 142.803, 142.869, 287.020,  
2 287.040, 288.035, 301.010, 301.031, 301.062, 301.227, 301.550,  
3 304.005, 304.022, 304.120, 304.170, 304.180, 307.175, and  
4 407.816, RSMo, are repealed and nineteen new sections enacted in  
5 lieu thereof, to be known as sections 142.800, 142.803, 142.869,  
6 287.020, 287.040, 288.035, 301.010, 301.031, 301.062, 301.227,  
7 301.550, 304.005, 304.022, 304.120, 304.170, 304.180, 307.005,  
8 307.175, and 407.816, to read as follows:

9           142.800. As used in this chapter, the following words,  
10 terms and phrases have the meanings given:

11           (1) "Agricultural purposes", clearing, terracing or  
12 otherwise preparing the ground on a farm; preparing soil for  
13 planting and fertilizing, cultivating, raising and harvesting  
14 crops; raising and feeding livestock and poultry; building  
15 fences; pumping water for any and all uses on the farm, including  
16 irrigation; building roads upon any farm by the owner or person

1 farming the same; operating milking machines; sawing wood for use  
2 on a farm; producing electricity for use on a farm; movement of  
3 tractors, farm implements and nonlicensed equipment from one  
4 field to another;

5 (2) "Alternative fuel", electricity, liquefied petroleum  
6 gas (LPG or LP gas), compressed natural gas product, or a  
7 combination of liquefied petroleum gas and a compressed natural  
8 gas or electricity product used in an internal combustion engine  
9 or motor to propel any form of vehicle, machine, or mechanical  
10 contrivance. It includes all forms of fuel commonly or  
11 commercially known or sold as butane, propane, or compressed  
12 natural gas;

13 (3) "Aviation fuel", any motor fuel specifically compounded  
14 for use in reciprocating aircraft engines;

15 (4) "Blend stock", any petroleum product component of motor  
16 fuel, such as naphtha, reformat, toluene or kerosene, that can be  
17 blended for use in a motor fuel without further processing. The  
18 term includes those petroleum products presently defined by the  
19 Internal Revenue Service in regulations pursuant to 26 U.S.C.,  
20 Sections 4081 and 4082, as amended. However, the term does not  
21 include any substance that:

22 (a) Will be ultimately used for consumer nonmotor fuel use;  
23 and

24 (b) Is sold or removed in drum quantities (fifty-five  
25 gallons) or less at the time of the removal or sale;

26 (5) "Blended fuel", a mixture composed of motor fuel and  
27 another liquid including blend stock, other than a de minimis  
28 amount of a product such as carburetor detergent or oxidation

1 inhibitor, that can be used as a fuel in a highway vehicle. This  
2 term includes but is not limited to gasohol, ethanol, methanol,  
3 fuel grade alcohol, diesel fuel enhancers and resulting blends;

4 (6) "Blender", any person that produces blended motor fuel  
5 outside the bulk transfer/terminal system;

6 (7) "Blending", the mixing of one or more petroleum  
7 products, with or without another product, regardless of the  
8 original character of the product blended, if the product  
9 obtained by the blending is capable of use or otherwise sold for  
10 use in the generation of power for the propulsion of a motor  
11 vehicle, an airplane, or a motorboat. The term does not include  
12 the blending that occurs in the process of refining by the  
13 original refiner of crude petroleum or the blending of products  
14 known as lubricating oil and greases;

15 (8) "Bulk plant", a bulk motor fuel storage and  
16 distribution facility that is not a terminal within the bulk  
17 transfer system and from which motor fuel may be removed by  
18 truck;

19 (9) "Bulk transfer", any transfer of motor fuel from one  
20 location to another by pipeline tender or marine delivery within  
21 the bulk transfer/terminal system;

22 (10) "Bulk transfer/terminal system", the motor fuel  
23 distribution system consisting of refineries, pipelines, vessels,  
24 and terminals. Motor fuel in a refinery, pipeline, boat, barge  
25 or terminal is in the bulk transfer/terminal system. Motor fuel  
26 in the fuel supply tank of any engine, or in any tank car, rail  
27 car, trailer, truck, or other equipment suitable for ground  
28 transportation is not in the bulk transfer/terminal system;

- 1           (11) "Consumer", the user of the motor fuel;
- 2           (12) "Delivery", the placing of motor fuel or any liquid or  
3 propulsion energy into the battery, fuel tank, or storage device  
4 of a motor vehicle or bulk storage facility;
- 5           (13) "Department", the department of revenue;
- 6           (14) "Destination state", the state, territory, or foreign  
7 country to which motor fuel is directed for delivery into a  
8 storage facility, a receptacle, a container, or a type of  
9 transportation equipment for the purpose of resale or use;
- 10          (15) "Diesel fuel", any liquid that is commonly or  
11 commercially known or sold as a fuel that is suitable for use in  
12 a diesel-powered highway vehicle. A liquid meets this  
13 requirement if, without further processing or blending, the  
14 liquid has practical and commercial fitness for use in the  
15 propulsion engine of a diesel-powered highway vehicle. "Diesel  
16 fuel" does not include jet fuel sold to a buyer who is registered  
17 with the Internal Revenue Service to purchase jet fuel and remit  
18 taxes on its sale or use to the Internal Revenue Service.  
19 "Diesel fuel" does not include biodiesel commonly referred to as  
20 B100 and defined in ASTM D6751, B99, or B99.9 until such  
21 biodiesel is blended with other diesel fuel or sold for highway  
22 use;
- 23          (16) "Diesel-powered highway vehicle", a motor vehicle  
24 operated on a highway that is propelled by a diesel-powered  
25 engine;
- 26          (17) "Director", the director of revenue;
- 27          (18) "Distributor", a person who either produces, refines,  
28 blends, compounds or manufactures motor fuel, imports motor fuel

1 into a state or exports motor fuel out of a state, or who is  
2 engaged in distribution of motor fuel;

3 (19) "Dyed fuel", diesel fuel or kerosene that is required  
4 to be dyed pursuant to United States Environmental Protection  
5 Agency rules or is dyed pursuant to Internal Revenue Service  
6 rules or pursuant to any other requirements subsequently set by  
7 the United States Environmental Protection Agency or Internal  
8 Revenue Service including any invisible marker requirements;

9 (20) "Eligible purchaser", a distributor who has been  
10 authorized by the director to purchase motor fuel on a tax-  
11 deferred basis;

12 (21) "Export", to obtain motor fuel in this state for sale  
13 or other distribution outside of this state. In applying this  
14 definition, motor fuel delivered out of state by or for the  
15 seller constitutes an export by the seller, and motor fuel  
16 delivered out of state by or for the purchaser constitutes an  
17 export by the purchaser;

18 (22) "Exporter", any person, other than a supplier, who  
19 purchases motor fuel in this state for the purpose of  
20 transporting or delivering the fuel outside of this state;

21 (23) "Farm tractor", all tractor-type, motorized farm  
22 implements and equipment but shall not include motor vehicles of  
23 the truck-type, pickup truck-type, automobiles, and other motor  
24 vehicles required to be registered and licensed each year  
25 pursuant to the provisions of the motor vehicle license and  
26 registration laws of this state;

27 (24) "Fuel grade alcohol", a methanol or ethanol with a  
28 proof of not less than one hundred ninety degrees (determined

1 without regard to denaturants) and products derived from such  
2 alcohol for blending with motor fuel;

3 (25) "Fuel transportation vehicle", any vehicle designed  
4 for highway use which is also designed or used to transport motor  
5 fuels and includes transport trucks and tank wagons;

6 (26) "Gasoline", all products commonly or commercially  
7 known or sold as gasoline that are suitable for use as a motor  
8 fuel. Gasoline does not include products that have an American  
9 Society for Testing and Materials (ASTM) octane number of less  
10 than seventy-five as determined by the motor method;

11 (27) "Gross gallons", the total measured motor fuel,  
12 exclusive of any temperature or pressure adjustments, in U.S.  
13 gallons;

14 (28) "Heating oil", a motor fuel that is burned in a  
15 boiler, furnace, or stove for heating or industrial processing  
16 purposes;

17 (29) "Import", to bring motor fuel into this state by any  
18 means of conveyance other than in the fuel supply tank of a motor  
19 vehicle. In applying this definition, motor fuel delivered into  
20 this state from out-of-state by or for the seller constitutes an  
21 import by the seller, and motor fuel delivered into this state  
22 from out-of-state by or for the purchaser constitutes an import  
23 by the purchaser;

24 (30) "Import verification number", the number assigned by  
25 the director with respect to a single transport truck delivery  
26 into this state from another state upon request for an assigned  
27 number by an importer or the transporter carrying motor fuel into  
28 this state for the account of an importer;

1           (31) "Importer" includes any person who is the importer of  
2 record, pursuant to federal customs law, with respect to motor  
3 fuel. If the importer of record is acting as an agent, the  
4 person for whom the agent is acting is the importer. If there is  
5 no importer of record of motor fuel entered into this state, the  
6 owner of the motor fuel at the time it is brought into this state  
7 is the importer;

8           (32) "Interstate motor fuel user", any person who operates  
9 a motor fuel-powered motor vehicle with a licensed gross weight  
10 exceeding twenty-six thousand pounds that travels from this state  
11 into another state or from another state into this state;

12           (33) "Invoiced gallons", the gallons actually billed on an  
13 invoice for payment to a supplier which shall be either gross or  
14 net gallons on the original manifest or bill of lading;

15           (34) "K-1 kerosene", a petroleum product having an A.P.I.  
16 gravity of not less than forty degrees, at a temperature of sixty  
17 degrees Fahrenheit and a minimum flash point of one hundred  
18 degrees Fahrenheit with a sulfur content not exceeding four one-  
19 hundredths percent by weight;

20           (35) "Kerosene", the petroleum fraction containing  
21 hydrocarbons that are slightly heavier than those found in  
22 gasoline and naphtha, with a boiling range of one hundred forty-  
23 nine to three hundred degrees Celsius;

24           (36) "Liquid", any substance that is liquid in excess of  
25 sixty degrees Fahrenheit and at a pressure of fourteen and seven-  
26 tenths pounds per square inch absolute;

27           (37) "Motor fuel", gasoline, diesel fuel, kerosene and  
28 blended fuel;

1           (38) "Motor vehicle", any automobile, truck, truck-tractor  
2 or any motor bus or self-propelled vehicle not exclusively  
3 operated or driven upon fixed rails or tracks. The term does not  
4 include:

5           (a) Farm tractors or machinery including tractors and  
6 machinery designed for off-road use but capable of movement on  
7 roads at low speeds, or

8           (b) A vehicle solely operated on rails;

9           (39) "Net gallons", the motor fuel, measured in U.S.  
10 gallons, when corrected to a temperature of sixty degrees  
11 Fahrenheit and a pressure of fourteen and seven-tenths pounds per  
12 square inch absolute (psi);

13           (40) "Permissive supplier", an out-of-state supplier that  
14 elects, but is not required, to have a supplier's license  
15 pursuant to this chapter;

16           (41) "Person", natural persons, individuals, partnerships,  
17 firms, associations, corporations, estates, trustees, business  
18 trusts, syndicates, this state, any county, city, municipality,  
19 school district or other political subdivision of the state,  
20 federally recognized Indian tribe, or any corporation or  
21 combination acting as a unit or any receiver appointed by any  
22 state or federal court;

23           (42) "Position holder", the person who holds the inventory  
24 position in motor fuel in a terminal, as reflected on the records  
25 of the terminal operator. A person holds the inventory position  
26 in motor fuel when that person has a contract with the terminal  
27 operator for the use of storage facilities and terminating  
28 services for motor fuel at the terminal. The term includes a



1 terminal operator who owns motor fuel in the terminal;

2 (43) "Propel", the operation of a motor vehicle, whether it  
3 is in motion or at rest;

4 (44) "Public highway", every road, toll road, highway,  
5 street, way or place generally open to the use of the public as a  
6 matter of right for the purposes of vehicular travel, including  
7 streets and alleys of any town or city notwithstanding that the  
8 same may be temporarily closed for construction, reconstruction,  
9 maintenance or repair;

10 (45) "Qualified terminal", a terminal which has been  
11 assigned a terminal control number ("tcn") by the Internal  
12 Revenue Service;

13 (46) "Rack", a mechanism for delivering motor fuel from a  
14 refinery or terminal into a railroad tank car, a transport truck  
15 or other means of bulk transfer outside of the bulk  
16 transfer/terminal system;

17 (47) "Refiner", any person that owns, operates, or  
18 otherwise controls a refinery;

19 (48) "Refinery", a facility used to produce motor fuel from  
20 crude oil, unfinished oils, natural gas liquids, or other  
21 hydrocarbons and from which motor fuel may be removed by  
22 pipeline, by boat or barge, or at a rack;

23 (49) "Removal", any physical transfer of motor fuel from a  
24 terminal, manufacturing plant, customs custody, pipeline, boat or  
25 barge, refinery or any facility that stores motor fuel;

26 (50) "Retailer", a person that engages in the business of  
27 selling or dispensing to the consumer within this state;

28 (51) "Supplier", a person that is:

1 (a) Registered or required to be registered pursuant to 26  
2 U.S.C., Section 4101, for transactions in motor fuels in the bulk  
3 transfer/terminal distribution system; and

4 (b) One or more of the following:

5 a. The position holder in a terminal or refinery in this  
6 state;

7 b. Imports motor fuel into this state from a foreign  
8 country;

9 c. Acquires motor fuel from a terminal or refinery in this  
10 state from a position holder pursuant to either a two-party  
11 exchange or a qualified buy-sell arrangement which is treated as  
12 an exchange and appears on the records of the terminal operator;  
13 or

14 d. The position holder in a terminal or refinery outside  
15 this state with respect to motor fuel which that person imports  
16 into this state. A terminal operator shall not be considered a  
17 supplier based solely on the fact that the terminal operator  
18 handles motor fuel consigned to it within a terminal. "Supplier"  
19 also means a person that produces fuel grade alcohol or alcohol-  
20 derivative substances in this state, produces fuel grade alcohol  
21 or alcohol-derivative substances for import to this state into a  
22 terminal, or acquires upon import by truck, rail car or barge  
23 into a terminal, fuel grade alcohol or alcohol-derivative  
24 substances. "Supplier" includes a permissive supplier unless  
25 specifically provided otherwise;

26 (52) "Tank wagon", a straight truck having multiple  
27 compartments designed or used to carry motor fuel;

28 (53) "Terminal", a bulk storage and distribution facility

1 which includes:

2 (a) For the purposes of motor fuel, is a qualified  
3 terminal;

4 (b) For the purposes of fuel grade alcohol, is supplied by  
5 truck, rail car, boat, barge or pipeline and the products are  
6 removed at a rack;

7 (54) "Terminal bulk transfers" include but are not limited  
8 to the following:

9 (a) Boat or barge movement of motor fuel from a refinery or  
10 terminal to a terminal;

11 (b) Pipeline movements of motor fuel from a refinery or  
12 terminal to a terminal;

13 (c) Book transfers of product within a terminal between  
14 suppliers prior to completion of removal across the rack; and

15 (d) Two-party exchanges or buy-sell supply arrangements  
16 within a terminal between licensed suppliers;

17 (55) "Terminal operator", any person that owns, operates,  
18 or otherwise controls a terminal. A terminal operator may own  
19 the motor fuel that is transferred through or stored in the  
20 terminal;

21 (56) "Transmix", the buffer or interface between two  
22 different products in a pipeline shipment, or a mix of two  
23 different products within a refinery or terminal that results in  
24 an off-grade mixture;

25 (57) "Transport truck", a semitrailer combination rig  
26 designed or used to transport motor fuel over the highways;

27 (58) "Transporter", any operator of a pipeline, barge,  
28 railroad or transport truck engaged in the business of

1 transporting motor fuels;

2 (59) "Two-party exchange", a transaction in which the motor  
3 fuel is transferred from one licensed supplier or licensed  
4 permissive supplier to another licensed supplier or licensed  
5 permissive supplier and:

6 (a) Which transaction includes a transfer from the person  
7 that holds the original inventory position for motor fuel in the  
8 terminal as reflected on the records of the terminal operator;  
9 and

10 (b) The exchange transaction is simultaneous with removal  
11 from the terminal by the receiving exchange partner. However, in  
12 any event, the terminal operator in its books and records treats  
13 the receiving exchange party as the supplier which removes the  
14 product across a terminal rack for purposes of reporting such  
15 events to this state;

16 (60) "Ultimate vendor", a person that sells motor fuel to  
17 the consumer;

18 (61) "Undyed diesel fuel", diesel fuel that is not subject  
19 to the United States Environmental Protection Agency dyeing  
20 requirements, or has not been dyed in accordance with Internal  
21 Revenue Service fuel dyeing provisions; and

22 (62) "Vehicle fuel tank", any receptacle on a motor vehicle  
23 from which fuel is supplied for the propulsion of the motor  
24 vehicle.

25 142.803. 1. A tax is levied and imposed on all motor fuel  
26 used or consumed in this state as follows:

27 (1) Motor fuel, seventeen cents per gallon;

28 (2) Alternative fuels, not subject to the decal fees as

1 provided in section 142.869, with a power potential equivalent of  
2 motor fuel. In the event alternative fuel, which is not commonly  
3 sold or measured by the gallon, is used in motor vehicles on the  
4 highways of this state, the director is authorized to assess and  
5 collect a tax upon such alternative fuel measured by the nearest  
6 power potential equivalent to that of one gallon of regular grade  
7 gasoline. The determination by the director of the power  
8 potential equivalent of such alternative fuel shall be prima  
9 facie correct;

10 (3) Aviation fuel used in propelling aircraft with  
11 reciprocating engines, nine cents per gallon as levied and  
12 imposed by section 155.080 to be collected as required under this  
13 chapter;

14 (4) Compressed natural gas fuel, five cents per gasoline  
15 gallon equivalent until December 31, 2019, eleven cents per  
16 gasoline gallon equivalent from January 1, 2020, until December  
17 31, 2024, and then seventeen cents per gasoline gallon equivalent  
18 thereafter. The gasoline gallon equivalent and method of sale  
19 for compressed natural gas shall be as published by the National  
20 Institute of Standards and Technology in Handbooks 44 and 130,  
21 and supplements thereto or revisions thereof. In the absence of  
22 such standard or agreement, the gasoline gallon equivalent and  
23 method of sale for compressed natural gas shall be equal to five  
24 and sixty-six-hundredths pounds of compressed natural gas. All  
25 applicable provisions contained in this chapter governing  
26 administration, collections, and enforcement of the state motor  
27 fuel tax shall apply to the tax imposed on compressed natural  
28 gas, including but not limited to licensing, reporting,

1 penalties, and interest;

2 (5) Liquefied natural gas fuel, five cents per diesel  
3 gallon equivalent until December 31, 2019, eleven cents per  
4 diesel gallon equivalent from January 1, 2020, until December 31,  
5 2024, and then seventeen cents per diesel gallon equivalent  
6 thereafter. The diesel gallon equivalent and method of sale for  
7 liquefied natural gas shall be as published by the National  
8 Institute of Standards and Technology in Handbooks 44 and 130,  
9 and supplements thereto or revisions thereof.

10  
11 In the absence of such standard or agreement, the diesel gallon  
12 equivalent and method of sale for liquefied natural gas shall be  
13 equal to six and six-hundredths pounds of liquefied natural gas.  
14 All applicable provisions contained in this chapter governing  
15 administration, collections, and enforcement of the state motor  
16 fuel tax shall apply to the tax imposed on liquefied natural gas,  
17 including but not limited to licensing, reporting, penalties, and  
18 interest;

19 (6) Propane gas fuel, five cents per gallon until December  
20 31, 2019, eleven cents per gallon from January 1, 2020, until  
21 December 31, 2024, and then seventeen cents per gallon  
22 thereafter. All applicable provisions contained in this chapter  
23 governing administration, collection, and enforcement of the  
24 state motor fuel tax shall apply to the tax imposed on propane  
25 gas including, but not limited to, licensing, reporting,  
26 penalties, and interest;

27 (7) If a natural gas, compressed natural gas, [or]  
28 liquefied natural gas, electric, or propane connection is used

1 for fueling motor vehicles and for another use, such as heating,  
2 the tax imposed by this section shall apply to the entire amount  
3 of natural gas, compressed natural gas, [or] liquefied natural  
4 gas, electricity, or propane used unless an approved separate  
5 metering and accounting system is in place.

6 2. All taxes, surcharges and fees are imposed upon the  
7 ultimate consumer, but are to be precollected as described in  
8 this chapter, for the facility and convenience of the consumer.  
9 The levy and assessment on other persons as specified in this  
10 chapter shall be as agents of this state for the precollection of  
11 the tax.

12 142.869. 1. The tax imposed by this chapter shall not  
13 apply to passenger motor vehicles, buses as defined in section  
14 301.010, or commercial motor vehicles registered in this state  
15 which are powered by alternative fuel, and for which a valid  
16 decal has been acquired as provided in this section, provided  
17 that sales made to alternative fueled vehicles powered by  
18 propane, compressed natural gas, or liquefied natural gas that do  
19 not meet the requirements of subsection 3 of this section shall  
20 be taxed exclusively pursuant to subdivisions (4) [and (5)] to  
21 (7) of subsection 1 of section 142.803, respectively. The owners  
22 or operators of such motor vehicles, except plug-in electric  
23 hybrids, shall, in lieu of the tax imposed by section 142.803,  
24 pay an annual alternative fuel decal fee as follows: seventy-five  
25 dollars on each passenger motor vehicle, school bus as defined in  
26 section 301.010, and commercial motor vehicle with a licensed  
27 gross vehicle weight of eighteen thousand pounds or less; one  
28 hundred dollars on each motor vehicle with a licensed gross

1 weight in excess of eighteen thousand pounds but not more than  
2 thirty-six thousand pounds used for farm or farming  
3 transportation operations and registered with a license plate  
4 designated with the letter "F"; one hundred fifty dollars on each  
5 motor vehicle with a licensed gross vehicle weight in excess of  
6 eighteen thousand pounds but less than or equal to thirty-six  
7 thousand pounds, and each passenger-carrying motor vehicle  
8 subject to the registration fee provided in sections 301.059,  
9 301.061 and 301.063; two hundred fifty dollars on each motor  
10 vehicle with a licensed gross weight in excess of thirty-six  
11 thousand pounds used for farm or farming transportation  
12 operations and registered with a license plate designated with  
13 the letter "F"; and one thousand dollars on each motor vehicle  
14 with a licensed gross vehicle weight in excess of thirty-six  
15 thousand pounds. Owners or operators of plug-in electric hybrids  
16 shall pay one-half of the stated annual alternative fuel decal  
17 fee. Notwithstanding provisions of this section to the contrary,  
18 motor vehicles licensed as historic under section 301.131 which  
19 are powered by alternative fuel shall be exempt from both the tax  
20 imposed by this chapter and the alternative fuel decal  
21 requirements of this section. For the purposes of this section,  
22 a plug-in electric hybrid shall be any hybrid vehicle made by a  
23 manufacturer with a model year of 2018 or newer, that has not  
24 been modified from the original manufacturer specifications, with  
25 an internal combustion engine and batteries that can be recharged  
26 by connecting a plug to an electric power source.

27 2. Except interstate fuel users and vehicles licensed under  
28 a reciprocity agreement as defined in section 142.617, the tax



1 imposed by section 142.803 shall not apply to motor vehicles  
2 registered outside this state which are powered by alternative  
3 fuel other than propane, compressed natural gas, and liquefied  
4 natural gas, and for which a valid temporary alternative fuel  
5 decal has been acquired as provided in this section. The owners  
6 or operators of such motor vehicles shall, in lieu of the tax  
7 imposed by section 142.803, pay a temporary alternative fuel  
8 decal fee of eight dollars on each such vehicle. Such decals  
9 shall be valid for a period of fifteen days from the date of  
10 issuance and shall be attached to the lower right-hand corner of  
11 the front windshield on the motor vehicle for which it was  
12 issued. Such decal and fee shall not be transferable. All  
13 proceeds from such decal fees shall be deposited as specified in  
14 section 142.345. Alternative fuel dealers selling such decals in  
15 accordance with rules and regulations prescribed by the director  
16 shall be allowed to retain fifty cents for each decal fee timely  
17 remitted to the director.

18 3. Owners or operators of passenger motor vehicles, buses  
19 as defined in section 301.010, or commercial motor vehicles  
20 registered in this state which are powered by compressed natural  
21 gas or liquefied natural gas who have installed a compressed  
22 natural gas fueling station or liquefied natural gas fueling  
23 station used solely to fuel the motor vehicles they own or  
24 operate as of December 31, 2015, may continue to apply for and  
25 use the alternative fuel decal in lieu of paying the tax imposed  
26 under subdivisions (4) and (5) of subsection 1 of section  
27 142.803. Owners or operators of compressed natural gas fueling  
28 stations or liquefied natural gas fueling stations whose vehicles

1 bear an alternative fuel decal shall be prohibited from selling  
2 or providing compressed natural gas or liquefied natural gas to  
3 any motor vehicle they do not own or operate. Owners or  
4 operators of motor vehicles powered by compressed natural gas or  
5 liquefied natural gas bearing an alternative fuel decal after  
6 January 1, 2016, that decline to renew the alternative fuel  
7 decals for such motor vehicles shall no longer be eligible to  
8 apply for and use alternative fuel decals under this subsection.  
9 Any compressed natural gas or liquefied natural gas obtained at  
10 any fueling station not owned by the owner or operator of the  
11 motor vehicle bearing an alternative fuel decal shall be subject  
12 to the tax under subdivisions (4) and (5) of subsection 1 of  
13 section 142.803.

14 4. An owner or operator of a motor vehicle powered by  
15 propane may continue to apply for and use the alternative fuel  
16 decal in lieu of paying the tax imposed under subdivision (6) of  
17 subsection 1 of section 142.803. If the appropriate motor fuel  
18 tax under subdivision (6) of subsection 1 of section 142.803 is  
19 collected at the time of fueling, an operator of a propane  
20 fueling station that uses quick-connect fueling nozzles may sell  
21 propane as a motor fuel without verifying the application of a  
22 valid Missouri alternative fuel decal. If an owner or operator  
23 of a motor vehicle powered by propane that bears an alternative  
24 fuel decal refuels at an unattended propane refueling station,  
25 such owner or operator shall not be eligible for a refund of the  
26 motor fuel tax paid at such refueling.

27 5. The director shall annually, on or before January  
28 thirty-first of each year, collect or cause to be collected from

1 owners or operators of the motor vehicles specified in subsection  
2 1 of this section the annual decal fee. Applications for such  
3 decals shall be supplied by the department of revenue. In the  
4 case of a motor vehicle which is not in operation by January  
5 thirty-first of any year, a decal may be purchased for a  
6 fractional period of such year, and the amount of the decal fee  
7 shall be reduced by one-twelfth for each complete month which  
8 shall have elapsed since the beginning of such year. This  
9 subsection shall not apply to an owner or operator of a motor  
10 vehicle powered by propane who fuels such vehicle exclusively at  
11 unattended fueling stations that collect the motor fuel tax.

12 [5.] 6. Upon the payment of the fee required by subsection  
13 1 of this section, the director shall issue a decal, which shall  
14 be valid for the current calendar year and shall be attached to  
15 the lower right-hand corner of the front windshield on the motor  
16 vehicle for which it was issued.

17 [6.] 7. The decal fee paid pursuant to subsection 1 of this  
18 section for each motor vehicle shall be transferable upon a  
19 change of ownership of the motor vehicle and, if the LP gas or  
20 natural gas equipment is removed from a motor vehicle upon a  
21 change of ownership and is reinstalled in another motor vehicle,  
22 upon such reinstallation. Such transfers shall be accomplished  
23 in accordance with rules and regulations promulgated by the  
24 director.

25 [7.] 8. It shall be unlawful for any person to operate a  
26 motor vehicle required to have an alternative fuel decal upon the  
27 highways of this state without a valid decal unless the motor  
28 vehicle is exclusively fueled at propane, compressed natural gas,

1 or liquefied natural gas fueling stations that collect the motor  
2 fuel tax.

3 [8.] 9. No person shall cause to be put, or put, [LP gas]  
4 any alternative fuel into the fuel supply receptacle or battery  
5 of a motor vehicle required to have an alternative fuel decal  
6 unless the motor vehicle either has a valid decal attached to it  
7 or the appropriate motor fuel tax is collected at the time of  
8 such fueling. [Sales of fuel placed in the supply receptacle of  
9 a motor vehicle displaying such decal shall be recorded upon an  
10 invoice, which invoice shall include the decal number, the motor  
11 vehicle license number and the number of gallons placed in such  
12 supply receptacle.]

13 [9.] 10. Any person violating any provision of this section  
14 is guilty of an infraction and shall, upon conviction thereof, be  
15 fined five hundred dollars.

16 [10.] 11. Motor vehicles displaying a valid alternative  
17 fuel decal are exempt from the licensing and reporting  
18 requirements of this chapter.

19 287.020. 1. The word "employee" as used in this chapter  
20 shall be construed to mean every person in the service of any  
21 employer, as defined in this chapter, under any contract of hire,  
22 express or implied, oral or written, or under any appointment or  
23 election, including executive officers of corporations. Except  
24 as otherwise provided in section 287.200, any reference to any  
25 employee who has been injured shall, when the employee is dead,  
26 also include his dependents, and other persons to whom  
27 compensation may be payable. The word "employee" shall also  
28 include all minors who work for an employer, whether or not such

1 minors are employed in violation of law, and all such minors are  
2 hereby made of full age for all purposes under, in connection  
3 with, or arising out of this chapter. The word "employee" shall  
4 not include an individual who is the owner, as defined in  
5 [subdivision (42) of] section 301.010, and operator of a motor  
6 vehicle which is leased or contracted with a driver to a for-hire  
7 motor carrier operating within a commercial zone as defined in  
8 section 390.020 or 390.041, or operating under a certificate  
9 issued by the Missouri department of transportation or by the  
10 United States Department of Transportation, or any of its  
11 subagencies. The word "employee" also shall not include any  
12 person performing services for board, lodging, aid, or sustenance  
13 received from any religious, charitable, or relief organization.

14 2. The word "accident" as used in this chapter shall mean  
15 an unexpected traumatic event or unusual strain identifiable by  
16 time and place of occurrence and producing at the time objective  
17 symptoms of an injury caused by a specific event during a single  
18 work shift. An injury is not compensable because work was a  
19 triggering or precipitating factor.

20 3. (1) In this chapter the term "injury" is hereby defined  
21 to be an injury which has arisen out of and in the course of  
22 employment. An injury by accident is compensable only if the  
23 accident was the prevailing factor in causing both the resulting  
24 medical condition and disability. "The prevailing factor" is  
25 defined to be the primary factor, in relation to any other  
26 factor, causing both the resulting medical condition and  
27 disability.

28 (2) An injury shall be deemed to arise out of and in the

1 course of the employment only if:

2 (a) It is reasonably apparent, upon consideration of all  
3 the circumstances, that the accident is the prevailing factor in  
4 causing the injury; and

5 (b) It does not come from a hazard or risk unrelated to the  
6 employment to which workers would have been equally exposed  
7 outside of and unrelated to the employment in normal  
8 nonemployment life.

9 (3) An injury resulting directly or indirectly from  
10 idiopathic causes is not compensable.

11 (4) A cardiovascular, pulmonary, respiratory, or other  
12 disease, or cerebrovascular accident or myocardial infarction  
13 suffered by a worker is an injury only if the accident is the  
14 prevailing factor in causing the resulting medical condition.

15 (5) The terms "injury" and "personal injuries" shall mean  
16 violence to the physical structure of the body and to the  
17 personal property which is used to make up the physical structure  
18 of the body, such as artificial dentures, artificial limbs, glass  
19 eyes, eyeglasses, and other prostheses which are placed in or on  
20 the body to replace the physical structure and such disease or  
21 infection as naturally results therefrom. These terms shall in  
22 no case except as specifically provided in this chapter be  
23 construed to include occupational disease in any form, nor shall  
24 they be construed to include any contagious or infectious disease  
25 contracted during the course of the employment, nor shall they  
26 include death due to natural causes occurring while the worker is  
27 at work.

28 4. "Death" when mentioned as a basis for the right to

1 compensation means only death resulting from such violence and  
2 its resultant effects occurring within three hundred weeks after  
3 the accident; except that in cases of occupational disease, the  
4 limitation of three hundred weeks shall not be applicable.

5 5. Injuries sustained in company-owned or subsidized  
6 automobiles in accidents that occur while traveling from the  
7 employee's home to the employer's principal place of business or  
8 from the employer's principal place of business to the employee's  
9 home are not compensable. The extension of premises doctrine is  
10 abrogated to the extent it extends liability for accidents that  
11 occur on property not owned or controlled by the employer even if  
12 the accident occurs on customary, approved, permitted, usual or  
13 accepted routes used by the employee to get to and from their  
14 place of employment.

15 6. The term "total disability" as used in this chapter  
16 shall mean inability to return to any employment and not merely  
17 mean inability to return to the employment in which the employee  
18 was engaged at the time of the accident.

19 7. As used in this chapter and all acts amendatory thereof,  
20 the term "commission" shall hereafter be construed as meaning and  
21 referring exclusively to the labor and industrial relations  
22 commission of Missouri, and the term "director" shall hereafter  
23 be construed as meaning the director of the department of  
24 insurance, financial institutions and professional registration  
25 of the state of Missouri or such agency of government as shall  
26 exercise the powers and duties now conferred and imposed upon the  
27 department of insurance, financial institutions and professional  
28 registration of the state of Missouri.

1           8. The term "division" as used in this chapter means the  
2 division of workers' compensation of the department of labor and  
3 industrial relations of the state of Missouri.

4           9. For the purposes of this chapter, the term "minor" means  
5 a person who has not attained the age of eighteen years; except  
6 that, for the purpose of computing the compensation provided for  
7 in this chapter, the provisions of section 287.250 shall control.

8           10. In applying the provisions of this chapter, it is the  
9 intent of the legislature to reject and abrogate earlier case law  
10 interpretations on the meaning of or definition of "accident",  
11 "occupational disease", "arising out of", and "in the course of  
12 the employment" to include, but not be limited to, holdings in:  
13 Bennett v. Columbia Health Care and Rehabilitation, 80 S.W.3d 524  
14 (Mo.App. W.D. 2002); Kasl v. Bristol Care, Inc., 984 S.W.2d 852  
15 (Mo.banc 1999); and Drewes v. TWA, 984 S.W.2d 512 (Mo.banc 1999)  
16 and all cases citing, interpreting, applying, or following those  
17 cases.

18           11. For the purposes of this chapter, "occupational  
19 diseases due to toxic exposure" shall only include the following:  
20 mesothelioma, asbestosis, berylliosis, coal worker's  
21 pneumoconiosis, brochiolitis obliterans, silicosis,  
22 silicotuberculosis, manganism, acute myelogenous leukemia, and  
23 myelodysplastic syndrome.

24           287.040. 1. Any person who has work done under contract on  
25 or about his premises which is an operation of the usual business  
26 which he there carries on shall be deemed an employer and shall  
27 be liable under this chapter to such contractor, his  
28 subcontractors, and their employees, when injured or killed on or



1 about the premises of the employer while doing work which is in  
2 the usual course of his business.

3 2. The provisions of this section shall not apply to the  
4 owner of premises upon which improvements are being erected,  
5 demolished, altered or repaired by an independent contractor but  
6 such independent contractor shall be deemed to be the employer of  
7 the employees of his subcontractors and their subcontractors when  
8 employed on or about the premises where the principal contractor  
9 is doing work.

10 3. In all cases mentioned in the preceding subsections, the  
11 immediate contractor or subcontractor shall be liable as an  
12 employer of the employees of his subcontractors. All persons so  
13 liable may be made parties to the proceedings on the application  
14 of any party. The liability of the immediate employer shall be  
15 primary, and that of the others secondary in their order, and any  
16 compensation paid by those secondarily liable may be recovered  
17 from those primarily liable, with attorney's fees and expenses of  
18 the suit. Such recovery may be had on motion in the original  
19 proceedings. No such employer shall be liable as in this section  
20 provided, if the employee was insured by his immediate or any  
21 intermediate employer.

22 4. The provisions of this section shall not apply to the  
23 relationship between a for-hire motor carrier operating within a  
24 commercial zone as defined in section 390.020 or 390.041 or  
25 operating under a certificate issued by the Missouri department  
26 of transportation or by the United States Department of  
27 Transportation, or any of its subagencies, and an owner, as  
28 defined in [subdivision (42) of] section 301.010, and operator of

1 a motor vehicle.

2 288.035. Notwithstanding the provisions of section 288.034,  
3 in the case of an individual who is the owner, as defined in  
4 [subdivision (42) of] section 301.010, and operator of a motor  
5 vehicle which is leased or contracted with a driver to a for-hire  
6 common or contract motor vehicle carrier operating within a  
7 commercial zone as defined in section 390.020 or 390.041, or  
8 operating under a certificate issued by the Missouri department  
9 of transportation or by the United States Department of  
10 Transportation or any of its subagencies, such owner/operator  
11 shall not be deemed to be an employee, provided, however, such  
12 individual owner and operator shall be deemed to be in employment  
13 if the for-hire common or contract vehicle carrier is an  
14 organization described in Section 501(c) (3) of the Internal  
15 Revenue Code or any governmental entity.

16 301.010. As used in this chapter and sections 304.010 to  
17 304.040, 304.120 to 304.260, and sections 307.010 to 307.175, the  
18 following terms mean:

19 (1) "All-terrain vehicle", any motorized vehicle  
20 manufactured and used exclusively for off-highway use which is  
21 fifty inches or less in width, with an unladen dry weight of one  
22 thousand five hundred pounds or less, traveling on three, four or  
23 more nonhighway tires;

24 (2) "Automobile transporter", any vehicle combination  
25 capable of carrying cargo on the power unit and designed and used  
26 [specifically] for the transport of assembled motor vehicles,  
27 including truck camper units;

28 (3) "Axle load", the total load transmitted to the road by

1 all wheels whose centers are included between two parallel  
2 transverse vertical planes forty inches apart, extending across  
3 the full width of the vehicle;

4 (4) "Backhaul", the return trip of a vehicle transporting  
5 cargo or general freight, especially when carrying goods back  
6 over all or part of the same route;

7 (5) "Boat transporter", any vehicle combination capable of  
8 carrying cargo on the power unit and designed and used  
9 specifically to transport assembled boats and boat hulls. Boats  
10 may be partially disassembled to facilitate transporting;

11 [(5)] (6) "Body shop", a business that repairs physical  
12 damage on motor vehicles that are not owned by the shop or its  
13 officers or employees by mending, straightening, replacing body  
14 parts, or painting;

15 [(6)] (7) "Bus", a motor vehicle primarily for the  
16 transportation of a driver and eight or more passengers but not  
17 including shuttle buses;

18 [(7)] (8) "Commercial motor vehicle", a motor vehicle  
19 designed or regularly used for carrying freight and merchandise,  
20 or more than eight passengers but not including vanpools or  
21 shuttle buses;

22 [(8)] (9) "Cotton trailer", a trailer designed and used  
23 exclusively for transporting cotton at speeds less than forty  
24 miles per hour from field to field or from field to market and  
25 return;

26 [(9)] (10) "Dealer", any person, firm, corporation,  
27 association, agent or subagent engaged in the sale or exchange of  
28 new, used or reconstructed motor vehicles or trailers;

1            [(10)] (11) "Director" or "director of revenue", the  
2 director of the department of revenue;

3            [(11)] (12) "Driveaway operation":

4            (a) The movement of a motor vehicle or trailer by any  
5 person or motor carrier other than a dealer over any public  
6 highway, under its own power singly, or in a fixed combination of  
7 two or more vehicles, for the purpose of delivery for sale or for  
8 delivery either before or after sale;

9            (b) The movement of any vehicle or vehicles, not owned by  
10 the transporter, constituting the commodity being transported, by  
11 a person engaged in the business of furnishing drivers and  
12 operators for the purpose of transporting vehicles in transit  
13 from one place to another by the driveaway or towaway methods; or

14            (c) The movement of a motor vehicle by any person who is  
15 lawfully engaged in the business of transporting or delivering  
16 vehicles that are not the person's own and vehicles of a type  
17 otherwise required to be registered, by the driveaway or towaway  
18 methods, from a point of manufacture, assembly or distribution or  
19 from the owner of the vehicles to a dealer or sales agent of a  
20 manufacturer or to any consignee designated by the shipper or  
21 consignor;

22            [(12)] (13) "Dromedary", a box, deck, or plate mounted  
23 behind the cab and forward of the fifth wheel on the frame of the  
24 power unit of a truck tractor-semitrailer combination. A truck  
25 tractor equipped with a dromedary may carry part of a load when  
26 operating independently or in a combination with a semitrailer;

27            [(13)] (14) "Farm tractor", a tractor used exclusively for  
28 agricultural purposes;

1            [(14)] (15) "Fleet", any group of ten or more motor  
2 vehicles owned by the same owner;

3            [(15)] (16) "Fleet vehicle", a motor vehicle which is  
4 included as part of a fleet;

5            [(16)] (17) "Fullmount", a vehicle mounted completely on  
6 the frame of either the first or last vehicle in a saddlemount  
7 combination;

8            [(17)] (18) "Gross weight", the weight of vehicle and/or  
9 vehicle combination without load, plus the weight of any load  
10 thereon;

11           [(18)] (19) "Hail-damaged vehicle", any vehicle, the body  
12 of which has become dented as the result of the impact of hail;

13           [(19)] (20) "Highway", any public thoroughfare for  
14 vehicles, including state roads, county roads and public streets,  
15 avenues, boulevards, parkways or alleys in any municipality;

16           [(20)] (21) "Improved highway", a highway which has been  
17 paved with gravel, macadam, concrete, brick or asphalt, or  
18 surfaced in such a manner that it shall have a hard, smooth  
19 surface;

20           [(21)] (22) "Intersecting highway", any highway which joins  
21 another, whether or not it crosses the same;

22           [(22)] (23) "Junk vehicle", a vehicle which:

23           (a) Is incapable of operation or use upon the highways and  
24 has no resale value except as a source of parts or scrap; or

25           (b) Has been designated as junk or a substantially  
26 equivalent designation by this state or any other state;

27           [(23)] (24) "Kit vehicle", a motor vehicle assembled by a  
28 person other than a generally recognized manufacturer of motor

1 vehicles by the use of a glider kit or replica purchased from an  
2 authorized manufacturer and accompanied by a manufacturer's  
3 statement of origin;

4 [(24)] (25) "Land improvement contractors' commercial motor  
5 vehicle", any not-for-hire commercial motor vehicle the operation  
6 of which is confined to:

7 (a) An area that extends not more than a radius of one  
8 hundred miles from its home base of operations when transporting  
9 its owner's machinery, equipment, or auxiliary supplies to or  
10 from projects involving soil and water conservation, or to and  
11 from equipment dealers' maintenance facilities for maintenance  
12 purposes; or

13 (b) An area that extends not more than a radius of fifty  
14 miles from its home base of operations when transporting its  
15 owner's machinery, equipment, or auxiliary supplies to or from  
16 projects not involving soil and water conservation. Nothing in  
17 this subdivision shall be construed to prevent any motor vehicle  
18 from being registered as a commercial motor vehicle or local  
19 commercial motor vehicle;

20 [(25)] (26) "Local commercial motor vehicle", a commercial  
21 motor vehicle whose operations are confined [solely] to a  
22 municipality and that area extending not more than fifty miles  
23 therefrom, or a commercial motor vehicle whose property-carrying  
24 operations are confined solely to the transportation of property  
25 owned by any person who is the owner or operator of such vehicle  
26 to or from a farm owned by such person or under the person's  
27 control by virtue of a landlord and tenant lease; provided that  
28 any such property transported to any such farm is for use in the

1 operation of such farm;

2 [(26)] (27) "Local log truck", a commercial motor vehicle  
3 which is registered pursuant to this chapter to operate as a  
4 motor vehicle on the public highways of this state, used  
5 exclusively in this state, used to transport harvested forest  
6 products, operated solely at a forested site and in an area  
7 extending not more than a one hundred-mile radius from such site,  
8 carries a load with dimensions not in excess of twenty-five cubic  
9 yards per two axles with dual wheels, and when operated on the  
10 national system of interstate and defense highways described in  
11 23 U.S.C. Section 103, as amended, or outside the one hundred  
12 mile radius from such site with an extended distance local log  
13 truck permit, such vehicle shall not exceed the weight limits of  
14 section 304.180, does not have more than four axles, and does not  
15 pull a trailer which has more than two axles. Harvesting  
16 equipment which is used specifically for cutting, felling,  
17 trimming, delimiting, debarking, chipping, skidding, loading,  
18 unloading, and stacking may be transported on a local log truck.  
19 A local log truck may not exceed the limits required by law,  
20 however, if the truck does exceed such limits as determined by  
21 the inspecting officer, then notwithstanding any other provisions  
22 of law to the contrary, such truck shall be subject to the weight  
23 limits required by such sections as licensed for eighty thousand  
24 pounds;

25 [(27)] (28) "Local log truck tractor", a commercial motor  
26 vehicle which is registered under this chapter to operate as a  
27 motor vehicle on the public highways of this state, used  
28 exclusively in this state, used to transport harvested forest

1 products, operated [solely] at a forested site and in an area  
2 extending not more than a one hundred-mile radius from such site,  
3 operates with a weight not exceeding twenty-two thousand four  
4 hundred pounds on one axle or with a weight not exceeding  
5 forty-four thousand eight hundred pounds on any tandem axle, and  
6 when operated on the national system of interstate and defense  
7 highways described in [Title 23, Section 103(e) of the United  
8 States Code] 23 U.S.C. Section 103, as amended, or outside the  
9 one hundred mile radius from such site with an extended distance  
10 local log truck permit, such vehicle does not exceed the weight  
11 limits contained in section 304.180, and does not have more than  
12 three axles and does not pull a trailer which has more than two  
13 axles. Violations of axle weight limitations shall be subject to  
14 the load limit penalty as described for in sections 304.180 to  
15 304.220;

16 [(28)] (29) "Local transit bus", a bus whose operations are  
17 confined wholly within a municipal corporation, or wholly within  
18 a municipal corporation and a commercial zone, as defined in  
19 section 390.020, adjacent thereto, forming a part of a public  
20 transportation system within such municipal corporation and such  
21 municipal corporation and adjacent commercial zone;

22 [(29)] (30) "Log truck", a vehicle which is not a local log  
23 truck or local log truck tractor and is used exclusively to  
24 transport harvested forest products to and from forested sites  
25 which is registered pursuant to this chapter to operate as a  
26 motor vehicle on the public highways of this state for the  
27 transportation of harvested forest products;

28 [(30)] (31) "Major component parts", the rear clip, cowl,



1 frame, body, cab, front-end assembly, and front clip, as those  
2 terms are defined by the director of revenue pursuant to rules  
3 and regulations or by illustrations;

4 [(31)] (32) "Manufacturer", any person, firm, corporation  
5 or association engaged in the business of manufacturing or  
6 assembling motor vehicles, trailers or vessels for sale;

7 [(32)] (33) "Motor change vehicle", a vehicle manufactured  
8 prior to August, 1957, which receives a new, rebuilt or used  
9 engine, and which used the number stamped on the original engine  
10 as the vehicle identification number;

11 [(33)] (34) "Motor vehicle", any self-propelled vehicle not  
12 operated exclusively upon tracks, except farm tractors;

13 [(34)] (35) "Motor vehicle primarily for business use", any  
14 vehicle other than a recreational motor vehicle, motorcycle,  
15 motortricycle, or any commercial motor vehicle licensed for over  
16 twelve thousand pounds:

17 (a) Offered for hire or lease; or

18 (b) The owner of which also owns ten or more such motor  
19 vehicles;

20 [(35)] (36) "Motorcycle", a motor vehicle operated on two  
21 wheels;

22 [(36)] (37) "Motorized bicycle", any two-wheeled or  
23 three-wheeled device having an automatic transmission and a motor  
24 with a cylinder capacity of not more than fifty cubic  
25 centimeters, which produces less than three gross brake  
26 horsepower, and is capable of propelling the device at a maximum  
27 speed of not more than thirty miles per hour on level ground;

28 [(37)] (38) "Motortricycle", a motor vehicle operated on

1 three wheels, including a motorcycle while operated with any  
2 conveyance, temporary or otherwise, requiring the use of a third  
3 wheel. A motortricycle shall not be included in the definition  
4 of all-terrain vehicle;

5 [(38)] (39) "Municipality", any city, town or village,  
6 whether incorporated or not;

7 [(39)] (40) "Nonresident", a resident of a state or country  
8 other than the state of Missouri;

9 [(40)] (41) "Non-USA-std motor vehicle", a motor vehicle  
10 not originally manufactured in compliance with United States  
11 emissions or safety standards;

12 [(41)] (42) "Operator", any person who operates or drives a  
13 motor vehicle;

14 [(42)] (43) "Owner", any person, firm, corporation or  
15 association, who holds the legal title to a vehicle or in the  
16 event a vehicle is the subject of an agreement for the  
17 conditional sale or lease thereof with the right of purchase upon  
18 performance of the conditions stated in the agreement and with an  
19 immediate right of possession vested in the conditional vendee or  
20 lessee, or in the event a mortgagor of a vehicle is entitled to  
21 possession, then such conditional vendee or lessee or mortgagor  
22 shall be deemed the owner [for the purpose of this law];

23 [(43)] (44) "Public garage", a place of business where  
24 motor vehicles are housed, stored, repaired, reconstructed or  
25 repainted for persons other than the owners or operators of such  
26 place of business;

27 [(44)] (45) "Rebuilder", a business that repairs or  
28 rebuilds motor vehicles owned by the rebuilder, but does not

1 include certificated common or contract carriers of persons or  
2 property;

3 [(45)] (46) "Reconstructed motor vehicle", a vehicle that  
4 is altered from its original construction by the addition or  
5 substitution of two or more new or used major component parts,  
6 excluding motor vehicles made from all new parts, and new  
7 multistage manufactured vehicles;

8 [(46)] (47) "Recreational motor vehicle", any motor vehicle  
9 designed, constructed or substantially modified so that it may be  
10 used and is used for the purposes of temporary housing quarters,  
11 including therein sleeping and eating facilities which are either  
12 permanently attached to the motor vehicle or attached to a unit  
13 which is securely attached to the motor vehicle. Nothing herein  
14 shall prevent any motor vehicle from being registered as a  
15 commercial motor vehicle if the motor vehicle could otherwise be  
16 so registered;

17 [(47)] (48) "Recreational off-highway vehicle", any  
18 motorized vehicle manufactured and used exclusively for  
19 off-highway use which is more than fifty inches but no more than  
20 sixty-seven inches in width, with an unladen dry weight of two  
21 thousand pounds or less, traveling on four or more nonhighway  
22 tires and which may have access to ATV trails;

23 [(48)] (49) "Rollback or car carrier", any vehicle  
24 specifically designed to transport wrecked, disabled or otherwise  
25 inoperable vehicles, when the transportation is directly  
26 connected to a wrecker or towing service;

27 [(49)] (50) "Saddlemount combination", a combination of  
28 vehicles in which a truck or truck tractor tows one or more

1 trucks or truck tractors, each connected by a saddle to the frame  
2 or fifth wheel of the vehicle in front of it. The "saddle" is a  
3 mechanism that connects the front axle of the towed vehicle to  
4 the frame or fifth wheel of the vehicle in front and functions  
5 like a fifth wheel kingpin connection. When two vehicles are  
6 towed in this manner the combination is called a "double  
7 saddlemount combination". When three vehicles are towed in this  
8 manner, the combination is called a "triple saddlemount  
9 combination";

10 [(50)] (51) "Salvage dealer and dismantler", a business  
11 that dismantles used motor vehicles for the sale of the parts  
12 thereof, and buys and sells used motor vehicle parts and  
13 accessories;

14 [(51)] (52) "Salvage vehicle", a motor vehicle,  
15 semitrailer, or house trailer which:

16 (a) Was damaged during a year that is no more than six  
17 years after the manufacturer's model year designation for such  
18 vehicle to the extent that the total cost of repairs to rebuild  
19 or reconstruct the vehicle to its condition immediately before it  
20 was damaged for legal operation on the roads or highways exceeds  
21 eighty percent of the fair market value of the vehicle  
22 immediately preceding the time it was damaged;

23 (b) By reason of condition or circumstance, has been  
24 declared salvage, either by its owner, or by a person, firm,  
25 corporation, or other legal entity exercising the right of  
26 security interest in it;

27 (c) Has been declared salvage by an insurance company as a  
28 result of settlement of a claim;

1 (d) Ownership of which is evidenced by a salvage title; or

2 (e) Is abandoned property which is titled pursuant to  
3 section 304.155 or section 304.157 and designated with the words  
4 "salvage/abandoned property". The total cost of repairs to  
5 rebuild or reconstruct the vehicle shall not include the cost of  
6 repairing, replacing, or reinstalling inflatable safety  
7 restraints, tires, sound systems, or damage as a result of hail,  
8 or any sales tax on parts or materials to rebuild or reconstruct  
9 the vehicle. For purposes of this definition, "fair market  
10 value" means the retail value of a motor vehicle as:

11 a. Set forth in a current edition of any nationally  
12 recognized compilation of retail values, including automated  
13 databases, or from publications commonly used by the automotive  
14 and insurance industries to establish the values of motor  
15 vehicles;

16 b. Determined pursuant to a market survey of comparable  
17 vehicles with regard to condition and equipment; and

18 c. Determined by an insurance company using any other  
19 procedure recognized by the insurance industry, including market  
20 surveys, that is applied by the company in a uniform manner;

21 [(52)] (53) "School bus", any motor vehicle used solely to  
22 transport students to or from school or to transport students to  
23 or from any place for educational purposes;

24 [(53)] (54) "Scrap processor", a business that, through the  
25 use of fixed or mobile equipment, flattens, crushes, or otherwise  
26 accepts motor vehicles and vehicle parts for processing or  
27 transportation to a shredder or scrap metal operator for  
28 recycling;

1            [(54)] (55) "Shuttle bus", a motor vehicle used or  
2 maintained by any person, firm, or corporation as an incidental  
3 service to transport patrons or customers of the regular business  
4 of such person, firm, or corporation to and from the place of  
5 business of the person, firm, or corporation providing the  
6 service at no fee or charge. Shuttle buses shall not be  
7 registered as buses or as commercial motor vehicles;

8            [(55)] (56) "Special mobile equipment", every  
9 self-propelled vehicle not designed or used primarily for the  
10 transportation of persons or property and incidentally operated  
11 or moved over the highways, including farm equipment, implements  
12 of husbandry, road construction or maintenance machinery,  
13 ditch-digging apparatus, stone crushers, air compressors, power  
14 shovels, cranes, graders, rollers, well-drillers and wood-sawing  
15 equipment used for hire, asphalt spreaders, bituminous mixers,  
16 bucket loaders, ditchers, leveling graders, finished machines,  
17 motor graders, road rollers, scarifiers, earth-moving carryalls,  
18 scrapers, drag lines, concrete pump trucks, rock-drilling and  
19 earth-moving equipment. This enumeration shall be deemed partial  
20 and shall not operate to exclude other such vehicles which are  
21 within the general terms of this section;

22           [(56)] (57) "Specially constructed motor vehicle", a motor  
23 vehicle which shall not have been originally constructed under a  
24 distinctive name, make, model or type by a manufacturer of motor  
25 vehicles. The term specially constructed motor vehicle includes  
26 kit vehicles;

27           [(57)] (58) "Stinger-steered combination", a truck  
28 tractor-semitrailer wherein the fifth wheel is located on a drop

1 frame located behind and below the rearmost axle of the power  
2 unit;

3 [(58)] (59) "Tandem axle", a group of two or more axles,  
4 arranged one behind another, the distance between the extremes of  
5 which is more than forty inches and not more than ninety-six  
6 inches apart;

7 (60) "Towaway trailer transporter combination", a  
8 combination of vehicles consisting of a trailer transporter  
9 towing unit and two trailers or semitrailers, with a total weight  
10 that does not exceed twenty-six thousand pounds; and in which the  
11 trailers or semitrailers carry no property and constitute  
12 inventory property of a manufacturer, distributor, or dealer of  
13 such trailers or semitrailers;

14 [(59)] (61) "Tractor", "truck tractor" or "truck-tractor",  
15 a self-propelled motor vehicle designed for drawing other  
16 vehicles, but not for the carriage of any load when operating  
17 independently. When attached to a semitrailer, it supports a  
18 part of the weight thereof;

19 [(60)] (62) "Trailer", any vehicle without motive power  
20 designed for carrying property or passengers on its own structure  
21 and for being drawn by a self-propelled vehicle, except those  
22 running exclusively on tracks, including a semitrailer or vehicle  
23 of the trailer type so designed and used in conjunction with a  
24 self-propelled vehicle that a considerable part of its own weight  
25 rests upon and is carried by the towing vehicle. The term  
26 trailer shall not include cotton trailers as defined in  
27 [subdivision (8) of] this section and shall not include  
28 manufactured homes as defined in section 700.010;

1       (63) "Trailer transporter towing unit", a power unit that  
2 is not used to carry property when operating in a towaway trailer  
3 transporter combination;

4       [(61)] (64) "Truck", a motor vehicle designed, used, or  
5 maintained for the transportation of property;

6       [(62)] (65) "Truck-tractor semitrailer-semitrailer", a  
7 combination vehicle in which the two trailing units are connected  
8 with a B-train assembly which is a rigid frame extension attached  
9 to the rear frame of a first semitrailer which allows for a  
10 fifth-wheel connection point for the second semitrailer and has  
11 one less articulation point than the conventional A-dolly  
12 connected truck-tractor semitrailer-trailer combination;

13       [(63)] (66) "Truck-trailer boat transporter combination", a  
14 boat transporter combination consisting of a straight truck  
15 towing a trailer using typically a ball and socket connection  
16 with the trailer axle located substantially at the trailer center  
17 of gravity rather than the rear of the trailer but so as to  
18 maintain a downward force on the trailer tongue;

19       [(64)] (67) "Used parts dealer", a business that buys and  
20 sells used motor vehicle parts or accessories, but not including  
21 a business that sells only new, remanufactured or rebuilt parts.  
22 Business does not include isolated sales at a swap meet of less  
23 than three days;

24       [(65)] (68) "Utility vehicle", any motorized vehicle  
25 manufactured and used exclusively for off-highway use which is  
26 more than fifty inches but no more than sixty-seven inches in  
27 width, with an unladen dry weight of two thousand pounds or less,  
28 traveling on four or six wheels, to be used primarily for



1 landscaping, lawn care, or maintenance purposes;

2 [(66)] (69) "Vanpool", any van or other motor vehicle used  
3 or maintained by any person, group, firm, corporation,  
4 association, city, county or state agency, or any member thereof,  
5 for the transportation of not less than eight nor more than  
6 forty-eight employees, per motor vehicle, to and from their place  
7 of employment; however, a vanpool shall not be included in the  
8 definition of the term bus or commercial motor vehicle as defined  
9 [by subdivisions (6) and (7) of] in this section, nor shall a  
10 vanpool driver be deemed a chauffeur as that term is defined by  
11 section 303.020; nor shall use of a vanpool vehicle for  
12 ride-sharing arrangements, recreational, personal, or maintenance  
13 uses constitute an unlicensed use of the motor vehicle, unless  
14 used for monetary profit other than for use in a ride-sharing  
15 arrangement;

16 [(67)] (70) "Vehicle", any mechanical device on wheels,  
17 designed primarily for use, or used, on highways, except  
18 motorized bicycles, vehicles propelled or drawn by horses or  
19 human power, or vehicles used exclusively on fixed rails or  
20 tracks, or cotton trailers or motorized wheelchairs operated by  
21 handicapped persons;

22 [(68)] (71) "Wrecker" or "tow truck", any emergency  
23 commercial vehicle equipped, designed and used to assist or  
24 render aid and transport or tow disabled or wrecked vehicles from  
25 a highway, road, street or highway rights-of-way to a point of  
26 storage or repair, including towing a replacement vehicle to  
27 replace a disabled or wrecked vehicle;

28 [(69)] (72) "Wrecker or towing service", the act of

1 transporting, towing or recovering with a wrecker, tow truck,  
2 rollback or car carrier any vehicle not owned by the operator of  
3 the wrecker, tow truck, rollback or car carrier for which the  
4 operator directly or indirectly receives compensation or other  
5 personal gain.

6 301.031. Notwithstanding the twenty-five mile operations  
7 limit imposed in [subdivision (24) of] section 301.010 upon local  
8 commercial motor vehicles, a local commercial motor vehicle  
9 licensed for forty-eight thousand pounds gross weight and above  
10 may be used to haul solid waste as defined in section 260.200 up  
11 to sixty miles from the municipality in which its operations are  
12 otherwise confined and still be eligible to register as a local  
13 commercial motor vehicle.

14 301.062. 1. The annual registration fee for a local log  
15 truck, registered pursuant to this chapter, is three hundred  
16 dollars.

17 2. A local log truck may receive an extended distance local  
18 log truck permit for an additional fee of three hundred dollars.  
19 A local log truck with an extended distance local log truck  
20 permit shall be allowed to transport harvested or processed  
21 forest products outside of the one hundred mile radius from the  
22 forested site at the weight limits for commercial vehicles  
23 specified in section 304.180. For the purposes of this section,  
24 "processed forest products" shall mean wood products that are  
25 produced from the initial processing of a round log and have  
26 received no additional manufacturing or packaging to prepare the  
27 material for any retail market including, but not limited to,  
28 sawdust, wood chips, bark, slabs, and green square edged lumber

1 products.

2 301.227. 1. Whenever a vehicle is sold for salvage,  
3 dismantling or rebuilding, the purchaser shall forward to the  
4 director of revenue within ten days the certificate of ownership  
5 or salvage certificate of title and the proper application and  
6 fee of eight dollars and fifty cents, and the director shall  
7 issue a negotiable salvage certificate of title to the purchaser  
8 of the salvaged vehicle. On vehicles purchased during a year  
9 that is no more than six years after the manufacturer's model  
10 year designation for such vehicle, it shall be mandatory that the  
11 purchaser apply for a salvage title. On vehicles purchased  
12 during a year that is more than six years after the  
13 manufacturer's model year designation for such vehicle, then  
14 application for a salvage title shall be optional on the part of  
15 the purchaser. Whenever a vehicle is sold for destruction and a  
16 salvage certificate of title, junking certificate, or certificate  
17 of ownership exists, the seller, if licensed under sections  
18 301.217 to 301.221, shall forward the certificate to the director  
19 of revenue within ten days, with the notation of the date sold  
20 for destruction and the name of the purchaser clearly shown on  
21 the face of the certificate.

22 2. Whenever a vehicle is classified as "junk", as defined  
23 in section 301.010, the purchaser may forward to the director of  
24 revenue a properly completed application for a junking  
25 certificate as well as the salvage certificate of title or  
26 certificate of ownership and the director shall issue a  
27 negotiable junking certificate to the purchaser of the vehicle.  
28 The director may also issue a junking certificate to a possessor

1 of a vehicle manufactured twenty-six years or more prior to the  
2 current model year who has a bill of sale for said vehicle but  
3 does not possess a certificate of ownership, provided no claim of  
4 theft has been made on the vehicle and the highway patrol has by  
5 letter stated the vehicle is not listed as stolen after checking  
6 the registration number through its nationwide computer system.  
7 Such junking certificate may be granted within thirty days of the  
8 submission of a request. A junking certificate shall authorize  
9 the holder to possess, transport, or, by assignment, transfer  
10 ownership in such parts, scrap, or junk.

11 3. For any vehicle issued a junking certificate or such  
12 similar document or classification pursuant to the laws of  
13 another state, regardless of whether such designation has been  
14 subsequently changed by law in any other state, the department  
15 shall only issue a junking certificate, and a salvage certificate  
16 of title or original certificate of ownership shall not  
17 thereafter be issued for such vehicle. Notwithstanding the  
18 provisions of this subsection, if the vehicle has not previously  
19 been classified as a junk vehicle, the applicant making the  
20 original junking certification application shall, within ninety  
21 days, be allowed to rescind his application for a junking  
22 certificate by surrendering the junking certificate and apply for  
23 a salvage certificate of title in his name. The seller of a  
24 vehicle for which a junking certificate has been applied for or  
25 issued shall disclose such fact in writing to any prospective  
26 buyers before sale of such vehicle; otherwise the sale shall be  
27 voidable at the option of the buyer.

28 4. No scrap metal operator shall acquire or purchase a

1 motor vehicle or parts thereof without, at the time of such  
2 acquisition, receiving the original certificate of ownership or  
3 salvage certificate of title or junking certificate from the  
4 seller of the vehicle or parts, unless the seller is a licensee  
5 under sections 301.219 to 301.221.

6 5. All titles and certificates required to be received by  
7 scrap metal operators from nonlicensees shall be forwarded by the  
8 operator to the director of revenue within ten days of the  
9 receipt of the vehicle or parts.

10 6. The scrap metal operator shall keep a record, for three  
11 years, of the seller's name and address, the salvage business  
12 license number of the licensee, date of purchase, and any vehicle  
13 or parts identification numbers open for inspection as provided  
14 in section 301.225.

15 7. Notwithstanding any other provision of this section, a  
16 motor vehicle dealer as defined in section 301.550 and licensed  
17 under the provisions of sections 301.550 to 301.572 may negotiate  
18 one reassignment of a salvage certificate of title on the back  
19 thereof.

20 8. Notwithstanding the provisions of subsection 1 of this  
21 section, an insurance company which settles a claim for a stolen  
22 vehicle may apply for and shall be issued a negotiable salvage  
23 certificate of title without the payment of any fee upon proper  
24 application within thirty days after settlement of the claim for  
25 such stolen vehicle. However, if the insurance company upon  
26 recovery of a stolen vehicle determines that the stolen vehicle  
27 has not sustained damage to the extent that the vehicle would  
28 have otherwise been declared a salvage vehicle pursuant to

1 [subdivision (51) of] section 301.010, then the insurance company  
2 may have the vehicle inspected by the Missouri state highway  
3 patrol, or other law enforcement agency authorized by the  
4 director of revenue, in accordance with the inspection provisions  
5 of subsection 9 of section 301.190. Upon receipt of title  
6 application, applicable fee, the completed inspection, and the  
7 return of any previously issued negotiable salvage certificate,  
8 the director shall issue an original title with no salvage or  
9 prior salvage designation. Upon the issuance of an original  
10 title the director shall remove any indication of the negotiable  
11 salvage title previously issued to the insurance company from the  
12 department's electronic records.

13 9. Notwithstanding subsection 4 of this section or any  
14 other provision of the law to the contrary, if a motor vehicle is  
15 inoperable and is at least ten model years old, or the parts are  
16 from a motor vehicle that is inoperable and is at least ten model  
17 years old, a scrap metal operator may purchase or acquire such  
18 motor vehicle or parts without receiving the original certificate  
19 of ownership, salvage certificate of title, or junking  
20 certificate from the seller of the vehicle or parts, provided the  
21 scrap metal operator verifies with the department of revenue, via  
22 the department's online record access, that the motor vehicle is  
23 not subject to any recorded security interest or lien and the  
24 scrap metal operator complies with the requirements of this  
25 subsection. In lieu of forwarding certificates of title or  
26 ownership for such motor vehicles as required by subsection 5 of  
27 this section, the scrap metal operator shall forward a copy of  
28 the seller's state identification card along with a bill of sale

1 to the department of revenue. The bill of sale form shall be  
2 designed by the director and such form shall include, but not be  
3 limited to, a certification that the motor vehicle is at least  
4 ten model years old, is inoperable, is not subject to any  
5 recorded security interest or lien, and a certification by the  
6 seller that the seller has the legal authority to sell or  
7 otherwise transfer the seller's interest in the motor vehicle or  
8 parts. Upon receipt of the information required by this  
9 subsection, the department of revenue shall cancel any  
10 certificate of title or ownership and registration for the motor  
11 vehicle. If the motor vehicle is inoperable and at least twenty  
12 model years old, then the scrap metal operator shall not be  
13 required to verify with the department of revenue whether the  
14 motor vehicle is subject to any recorded security interests or  
15 liens. As used in this subsection, the term "inoperable" means a  
16 motor vehicle that is in a rusted, wrecked, discarded, worn out,  
17 extensively damaged, dismantled, and mechanically inoperative  
18 condition and the vehicle's highest and best use is for scrap  
19 purposes. The director of the department of revenue is directed  
20 to promulgate rules and regulations to implement and administer  
21 the provisions of this section, including but not limited to, the  
22 development of a uniform bill of sale. Any rule or portion of a  
23 rule, as that term is defined in section 536.010, that is created  
24 under the authority delegated in this section shall become  
25 effective only if it complies with and is subject to all of the  
26 provisions of chapter 536 and, if applicable, section 536.028.  
27 This section and chapter 536 are nonseverable and if any of the  
28 powers vested with the general assembly pursuant to chapter 536

1 to review, to delay the effective date, or to disapprove and  
2 annul a rule are subsequently held unconstitutional, then the  
3 grant of rulemaking authority and any rule proposed or adopted  
4 after August 28, 2012, shall be invalid and void.

5 301.550. 1. The definitions contained in section 301.010  
6 shall apply to sections 301.550 to 301.573, and in addition as  
7 used in sections 301.550 to 301.573, the following terms mean:

8 (1) "Boat dealer", any natural person, partnership, or  
9 corporation who, for a commission or with an intent to make a  
10 profit or gain of money or other thing of value, sells, barter,  
11 exchanges, leases or rents with the option to purchase, offers,  
12 attempts to sell, or negotiates the sale of any vessel or vessel  
13 trailer, whether or not the vessel or vessel trailer is owned by  
14 such person. The sale of six or more vessels or vessel trailers  
15 or both in any calendar year shall be required as evidence that  
16 such person is eligible for licensure as a boat dealer under  
17 sections 301.550 to 301.573. The boat dealer shall demonstrate  
18 eligibility for renewal of his license by selling six or more  
19 vessels or vessel trailers or both in the prior calendar year  
20 while licensed as a boat dealer pursuant to sections 301.550 to  
21 301.573;

22 (2) "Boat manufacturer", any person engaged in the  
23 manufacturing, assembling or modification of new vessels or  
24 vessel trailers as a regular business, including a person,  
25 partnership or corporation which acts for and is under the  
26 control of a manufacturer or assembly in connection with the  
27 distribution of vessels or vessel trailers;

28 (3) "Department", the Missouri department of revenue;



1           (4) "Director", the director of the Missouri department of  
2 revenue;

3           (5) "Emergency vehicles", motor vehicles used as  
4 ambulances, law enforcement vehicles, and fire fighting and  
5 assistance vehicles;

6           (6) "Manufacturer", any person engaged in the  
7 manufacturing, assembling or modification of new motor vehicles  
8 or trailers as a regular business, including a person,  
9 partnership or corporation which acts for and is under the  
10 control of a manufacturer or assembly in connection with the  
11 distribution of motor vehicles or accessories for motor vehicles;

12           (7) "Motor vehicle broker", a person who holds himself out  
13 through solicitation, advertisement, or otherwise as one who  
14 offers to arrange a transaction involving the retail sale of a  
15 motor vehicle, and who is not:

16           (a) A dealer, or any agent, or any employee of a dealer  
17 when acting on behalf of a dealer;

18           (b) A manufacturer, or any agent, or employee of a  
19 manufacturer when acting on behalf of a manufacturer;

20           (c) The owner of the vehicle involved in the transaction;  
21 or

22           (d) A public motor vehicle auction or wholesale motor  
23 vehicle auction where buyers are licensed dealers in this or any  
24 other jurisdiction;

25           (8) "Motor vehicle dealer" or "dealer", any person who, for  
26 commission or with an intent to make a profit or gain of money or  
27 other thing of value, sells, barter, exchanges, leases or rents  
28 with the option to purchase, or who offers or attempts to sell or

1 negotiates the sale of motor vehicles or trailers whether or not  
2 the motor vehicles or trailers are owned by such person;  
3 provided, however, an individual auctioneer or auction conducted  
4 by an auctioneer licensed pursuant to chapter 343 shall not be  
5 included within the definition of a motor vehicle dealer. The  
6 sale of six or more motor vehicles or trailers in any calendar  
7 year shall be required as evidence that such person is engaged in  
8 the motor vehicle business and is eligible for licensure as a  
9 motor vehicle dealer under sections 301.550 to 301.573. Any  
10 motor vehicle dealer licensed before August 28, 2007, shall be  
11 required to meet the minimum calendar year sales of six or more  
12 motor vehicles provided the dealer can prove the business  
13 achieved, cumulatively, six or more sales per year for the  
14 preceding twenty-four months in business; or if the dealer has  
15 not been in business for twenty-four months, the cumulative  
16 equivalent of one sale every two months for the months the dealer  
17 has been in business before August 28, 2007. Any licensed motor  
18 vehicle dealer failing to meet the minimum vehicle sales  
19 requirements as referenced in this subsection shall not be  
20 qualified to renew his or her license for one year. Applicants  
21 who reapply after the one-year period shall meet the requirement  
22 of six sales per year;

23 (9) "New motor vehicle", any motor vehicle being  
24 transferred for the first time from a manufacturer, distributor  
25 or new vehicle dealer which has not been registered or titled in  
26 this state or any other state and which is offered for sale,  
27 barter or exchange by a dealer who is franchised to sell, barter  
28 or exchange that particular make of motor vehicle. The term "new

1 motor vehicle" shall not include manufactured homes, as defined  
2 in section 700.010;

3 (10) "New motor vehicle franchise dealer", any motor  
4 vehicle dealer who has been franchised to deal in a certain make  
5 of motor vehicle by the manufacturer or distributor of that make  
6 and motor vehicle and who may, in line with conducting his  
7 business as a franchise dealer, sell, barter or exchange used  
8 motor vehicles;

9 (11) "Person" includes an individual, a partnership,  
10 corporation, an unincorporated society or association, joint  
11 venture or any other entity;

12 (12) "Powersport dealer", any motor vehicle dealer who  
13 sells, either pursuant to a franchise agreement or otherwise,  
14 primarily motor vehicles including but not limited to  
15 motorcycles, all-terrain vehicles, and personal watercraft, as  
16 those terms are defined in this chapter and chapter 306;

17 (13) "Public motor vehicle auction", any person, firm or  
18 corporation who takes possession of a motor vehicle whether by  
19 consignment, bailment or any other arrangement, except by title,  
20 for the purpose of selling motor vehicles at a public auction by  
21 a licensed auctioneer;

22 (14) "Recreational motor vehicle dealer", a dealer of new  
23 or used motor vehicles designed, constructed or substantially  
24 modified for use as temporary housing quarters, including  
25 sleeping and eating facilities which are either permanently  
26 attached to the motor vehicle or attached to a unit which is  
27 securely attached to the motor vehicle;

28 (15) "Storage lot", an area within the same city or county

1 where a dealer may store excess vehicle inventory;

2 (16) "Trailer dealer", any person selling, either  
3 exclusively or otherwise, trailers as defined in [subdivision  
4 (60) of] section 301.010. A trailer dealer may acquire a motor  
5 vehicle for resale only as a trade-in for a trailer.

6 Notwithstanding the provisions of [subdivision (11) of] section  
7 301.010 and section 301.069, trailer dealers may purchase one  
8 driveaway license plate to display such motor vehicle for  
9 demonstration purposes. The sale of six or more trailers in any  
10 calendar year shall be required as evidence that such person is  
11 engaged in the trailer business and is eligible for licensure as  
12 a trailer dealer under sections 301.550 to 301.573. Any trailer  
13 dealer licensed before August 28, 2007, shall be required to meet  
14 the minimum calendar year sales of six or more trailers provided  
15 the dealer can prove the business achieved, cumulatively, six or  
16 more sales per year for the preceding twenty-four months in  
17 business; or if the dealer has not been in business for  
18 twenty-four months, the cumulative equivalent of one sale every  
19 two months for the months the dealer has been in business before  
20 August 28, 2007. Any licensed trailer dealer failing to meet the  
21 minimum trailer and vehicle sales requirements as referenced in  
22 this subsection shall not be qualified to renew his or her  
23 license for one year. Applicants who reapply after the one-year  
24 period shall meet the requirement of six sales per year;

25 (17) "Used motor vehicle", any motor vehicle which is not a  
26 new motor vehicle, as defined in sections 301.550 to 301.573, and  
27 which has been sold, bartered, exchanged or given away or which  
28 may have had a title issued in this state or any other state, or

1 a motor vehicle so used as to be what is commonly known as a  
2 secondhand motor vehicle. In the event of an assignment of the  
3 statement of origin from an original franchise dealer to any  
4 individual or other motor vehicle dealer other than a new motor  
5 vehicle franchise dealer of the same make, the vehicle so  
6 assigned shall be deemed to be a used motor vehicle and a  
7 certificate of ownership shall be obtained in the assignee's  
8 name. The term "used motor vehicle" shall not include  
9 manufactured homes, as defined in section 700.010;

10 (18) "Used motor vehicle dealer", any motor vehicle dealer  
11 who is not a new motor vehicle franchise dealer;

12 (19) "Vessel", every boat and watercraft defined as a  
13 vessel in section 306.010;

14 (20) "Vessel trailer", any trailer, as defined by section  
15 301.010 which is designed and manufactured for the purposes of  
16 transporting vessels;

17 (21) "Wholesale motor vehicle auction", any person, firm or  
18 corporation in the business of providing auction services solely  
19 in wholesale transactions at its established place of business in  
20 which the purchasers are motor vehicle dealers licensed by this  
21 or any other jurisdiction, and which neither buys, sells nor owns  
22 the motor vehicles it auctions in the ordinary course of its  
23 business. Except as required by law with regard to the auction  
24 sale of a government-owned motor vehicle, a wholesale motor  
25 vehicle auction shall not provide auction services in connection  
26 with the retail sale of a motor vehicle;

27 (22) "Wholesale motor vehicle dealer", a motor vehicle  
28 dealer who sells motor vehicles only to other new motor vehicle

1 franchise dealers or used motor vehicle dealers or via auctions  
2 limited to other dealers of any class.

3 2. For purposes of sections 301.550 to 301.573, neither the  
4 term motor vehicle nor the term trailer shall include  
5 manufactured homes, as defined in section 700.010.

6 3. Dealers shall be divided into classes as follows:

- 7 (1) Boat dealers;
- 8 (2) Franchised new motor vehicle dealers;
- 9 (3) Used motor vehicle dealers;
- 10 (4) Wholesale motor vehicle dealers;
- 11 (5) Recreational motor vehicle dealers;
- 12 (6) Historic motor vehicle dealers;
- 13 (7) Classic motor vehicle dealers;
- 14 (8) Powersport dealers; and
- 15 (9) Trailer dealers.

16 304.005. 1. As used in this section, the term "autocycle"  
17 means a three-wheeled motor vehicle [on] which the drivers and  
18 passengers ride in a partially or completely enclosed[, tandem]  
19 non-straddle seating area [that is equipped with air bag  
20 protection, a roll cage, safety belts for each occupant, and  
21 antilock brakes and], that is designed to be controlled with a  
22 steering wheel and pedals, and that has met applicable Department  
23 of Transportation National Highway Traffic Safety Administration  
24 requirements or Federal Motorcycle Safety Standards.

25 2. Notwithstanding subsection 2 of section 302.020, a  
26 person operating or riding in an autocycle shall not be required  
27 to wear protective headgear if the vehicle is equipped with a  
28 roof that meets or exceeds the standards established for

1 protective headgear.

2 3. No person shall operate an autocycle on any highway or  
3 street in this state unless the person has a valid driver's  
4 license. The operator of an autocycle, however, shall not be  
5 required to obtain a motorcycle or motortricycle license or  
6 endorsement pursuant to sections 302.010 to 302.340."; and

7 304.022. 1. Upon the immediate approach of an emergency  
8 vehicle giving audible signal by siren or while having at least  
9 one lighted lamp exhibiting red light visible under normal  
10 atmospheric conditions from a distance of five hundred feet to  
11 the front of such vehicle or a flashing blue light authorized by  
12 section 307.175, the driver of every other vehicle shall yield  
13 the right-of-way and shall immediately drive to a position  
14 parallel to, and as far as possible to the right of, the traveled  
15 portion of the highway and thereupon stop and remain in such  
16 position until such emergency vehicle has passed, except when  
17 otherwise directed by a police or traffic officer.

18 2. Upon approaching a stationary [emergency] vehicle  
19 displaying lighted red or red and blue lights, or a stationary  
20 vehicle [owned by the state highways and transportation  
21 commission and operated by an authorized employee of the  
22 department of transportation or a stationary vehicle owned by a  
23 contractor or subcontractor performing work for the department of  
24 transportation] displaying lighted amber or amber and white  
25 lights, the driver of every motor vehicle shall:

26 (1) Proceed with caution and yield the right-of-way, if  
27 possible with due regard to safety and traffic conditions, by  
28 making a lane change into a lane not adjacent to that of the

1 stationary vehicle, if on a roadway having at least four lanes  
2 with not less than two lanes proceeding in the same direction as  
3 the approaching vehicle; or

4 (2) Proceed with due caution and reduce the speed of the  
5 vehicle, maintaining a safe speed for road conditions, if  
6 changing lanes would be unsafe or impossible.

7 3. The motorman of every streetcar shall immediately stop  
8 such car clear of any intersection and keep it in such position  
9 until the emergency vehicle has passed, except as otherwise  
10 directed by a police or traffic officer.

11 4. An "emergency vehicle" is a vehicle of any of the  
12 following types:

13 (1) A vehicle operated by the state highway patrol, the  
14 state water patrol, the Missouri capitol police, a conservation  
15 agent, or a state park ranger, those vehicles operated by  
16 enforcement personnel of the state highways and transportation  
17 commission, police or fire department, sheriff, constable or  
18 deputy sheriff, federal law enforcement officer authorized to  
19 carry firearms and to make arrests for violations of the laws of  
20 the United States, traffic officer or coroner or by a privately  
21 owned emergency vehicle company;

22 (2) A vehicle operated as an ambulance or operated  
23 commercially for the purpose of transporting emergency medical  
24 supplies or organs;

25 (3) Any vehicle qualifying as an emergency vehicle pursuant  
26 to section 307.175;

27 (4) Any wrecker, or tow truck or a vehicle owned and  
28 operated by a public utility or public service corporation while



1 performing emergency service;

2 (5) Any vehicle transporting equipment designed to  
3 extricate human beings from the wreckage of a motor vehicle;

4 (6) Any vehicle designated to perform emergency functions  
5 for a civil defense or emergency management agency established  
6 pursuant to the provisions of chapter 44;

7 (7) Any vehicle operated by an authorized employee of the  
8 department of corrections who, as part of the employee's official  
9 duties, is responding to a riot, disturbance, hostage incident,  
10 escape or other critical situation where there is the threat of  
11 serious physical injury or death, responding to mutual aid call  
12 from another criminal justice agency, or in accompanying an  
13 ambulance which is transporting an offender to a medical  
14 facility;

15 (8) Any vehicle designated to perform hazardous substance  
16 emergency functions established pursuant to the provisions of  
17 sections 260.500 to 260.550; or

18 (9) Any vehicle owned by the state highways and  
19 transportation commission and operated by an authorized employee  
20 of the department of transportation that is marked as a  
21 department of transportation emergency response or motorist  
22 assistance vehicle.

23 5. (1) The driver of any vehicle referred to in subsection  
24 4 of this section shall not sound the siren thereon or have the  
25 front red lights or blue lights on except when such vehicle is  
26 responding to an emergency call or when in pursuit of an actual  
27 or suspected law violator, or when responding to, but not upon  
28 returning from, a fire.

1 (2) The driver of an emergency vehicle may:

2 (a) Park or stand irrespective of the provisions of  
3 sections 304.014 to 304.025;

4 (b) Proceed past a red or stop signal or stop sign, but  
5 only after slowing down as may be necessary for safe operation;

6 (c) Exceed the prima facie speed limit so long as the  
7 driver does not endanger life or property;

8 (d) Disregard regulations governing direction of movement  
9 or turning in specified directions.

10 (3) The exemptions granted to an emergency vehicle pursuant  
11 to subdivision (2) of this subsection shall apply only when the  
12 driver of any such vehicle while in motion sounds audible signal  
13 by bell, siren, or exhaust whistle as may be reasonably  
14 necessary, and when the vehicle is equipped with at least one  
15 lighted lamp displaying a red light or blue light visible under  
16 normal atmospheric conditions from a distance of five hundred  
17 feet to the front of such vehicle.

18 6. No person shall purchase an emergency light as described  
19 in this section without furnishing the seller of such light an  
20 affidavit stating that the light will be used exclusively for  
21 emergency vehicle purposes.

22 7. Violation of this section shall be deemed a class A  
23 misdemeanor.

24 304.120. 1. Municipalities, by ordinance, may establish  
25 reasonable speed regulations for motor vehicles within the limits  
26 of such municipalities. No person who is not a resident of such  
27 municipality and who has not been within the limits thereof for a  
28 continuous period of more than forty-eight hours shall be

1 convicted of a violation of such ordinances, unless it is shown  
2 by competent evidence that there was posted at the place where  
3 the boundary of such municipality joins or crosses any highway a  
4 sign displaying in black letters not less than four inches high  
5 and one inch wide on a white background the speed fixed by such  
6 municipality so that such sign may be clearly seen by operators  
7 and drivers from their vehicles upon entering such municipality.

8 2. Municipalities, by ordinance, may:

9 (1) Make additional rules of the road or traffic  
10 regulations to meet their needs and traffic conditions;

11 (2) Establish one-way streets and provide for the  
12 regulation of vehicles thereon;

13 (3) Require vehicles to stop before crossing certain  
14 designated streets and boulevards;

15 (4) Limit the use of certain designated streets and  
16 boulevards to passenger vehicles, except that each municipality  
17 shall allow at least one route, with lawful traffic movement and  
18 access from both directions, to be available for use by  
19 commercial motor vehicles to access any roads in the state  
20 highway system. Under no circumstances shall the provisions of  
21 this subdivision be construed to authorize a municipality to  
22 limit the use of all routes in the municipality. The use by  
23 commercial motor vehicles of a municipality-designated route for  
24 such vehicles in compliance with any ordinances of the  
25 designating municipality shall not be deemed a nuisance or  
26 evidence of a nuisance. Nothing contained in this subdivision is  
27 intended to modify or limit recovery for any claim that is  
28 independent of a nuisance claim;

1           (5) Prohibit the use of certain designated streets to  
2 vehicles with metal tires, or solid rubber tires;

3           (6) Regulate the parking of vehicles on streets by the  
4 installation of parking meters for limiting the time of parking  
5 and exacting a fee therefor or by the adoption of any other  
6 regulatory method that is reasonable and practical, and prohibit  
7 or control left-hand turns of vehicles;

8           (7) Require the use of signaling devices on all motor  
9 vehicles; and

10          (8) Prohibit sound-producing warning devices, except horns  
11 directed forward.

12          3. No ordinance shall be valid which contains provisions  
13 contrary to or in conflict with this chapter, except as herein  
14 provided.

15          4. No ordinance shall impose liability on the owner-lessor  
16 of a motor vehicle when the vehicle is being permissively used by  
17 a lessee and is illegally parked or operated if the registered  
18 owner-lessor of such vehicle furnishes the name, address and  
19 operator's license number of the person renting or leasing the  
20 vehicle at the time the violation occurred to the proper  
21 municipal authority within three working days from the time of  
22 receipt of written request for such information. Any registered  
23 owner-lessor who fails or refuses to provide such information  
24 within the period required by this subsection shall be liable for  
25 the imposition of any fine established by municipal ordinance for  
26 the violation. Provided, however, if a leased motor vehicle is  
27 illegally parked due to a defect in such vehicle, which renders  
28 it inoperable, not caused by the fault or neglect of the lessee,

1 then the lessor shall be liable on any violation for illegal  
2 parking of such vehicle.

3 5. No ordinance shall deny the use of commercial motor  
4 vehicles on all routes within the municipality. For purposes of  
5 this section, the term "route" shall mean any state road, county  
6 road, or public street, avenue, boulevard, or parkway.

7 6. No ordinance shall prohibit the operator of a motor  
8 vehicle from being in an intersection while a red signal is being  
9 displayed if the operator of the motor vehicle entered the  
10 intersection during a yellow signal interval. The provisions of  
11 this subsection shall supercede any local laws, ordinances,  
12 orders, rules, or regulations enacted by a county, municipality,  
13 or other political subdivision that are to the contrary.

14 304.170. 1. No vehicle operated upon the highways of this  
15 state shall have a width, including load, in excess of one  
16 hundred two inches, except clearance lights, rearview mirrors or  
17 other accessories required by federal, state or city law or  
18 regulation. Provided however, a recreational vehicle as defined  
19 in section 700.010 may exceed the foregoing width limits if the  
20 appurtenances on such recreational vehicle extend no further than  
21 the rearview mirrors. Such mirrors may only extend the distance  
22 necessary to provide the required field of view before the  
23 appurtenances were attached.

24 2. No vehicle operated upon the interstate highway system  
25 or upon any route designated by the [chief engineer of the state  
26 transportation department] state highways and transportation  
27 commission shall have a height, including load, in excess of  
28 fourteen feet. On all other highways, no vehicle shall have a

1 height, including load, in excess of thirteen and one-half feet,  
2 except that any vehicle or combination of vehicles transporting  
3 automobiles or other motor vehicles may have a height, including  
4 load, of not more than fourteen feet.

5 3. No single motor vehicle operated upon the highways of  
6 this state shall have a length, including load, in excess of  
7 forty-five feet, except as otherwise provided in this section.

8 4. No bus, recreational motor vehicle or trackless trolley  
9 coach operated upon the highways of this state shall have a  
10 length in excess of forty-five feet, except that such vehicles  
11 may exceed the forty-five feet length when such excess length is  
12 caused by the projection of a front safety bumper or a rear  
13 safety bumper or both. Such safety bumper shall not cause the  
14 length of the bus or recreational motor vehicle to exceed the  
15 forty-five feet length limit by more than one foot in the front  
16 and one foot in the rear. Notwithstanding any provision of this  
17 section to the contrary, an articulated bus, comprised of two or  
18 more sections connected by a flexible joint or other mechanism,  
19 may be up to sixty feet in length, not including safety bumpers  
20 which may extend one foot in front and one foot in the rear, and  
21 not including bicycle storage racks which may extend over the  
22 safety bumper by up to five feet when in the down position  
23 transporting a bicycle. The term "safety bumper" means any  
24 device which may be fitted on an existing bumper or which  
25 replaces the bumper and is so constructed, treated, or  
26 manufactured that it absorbs energy upon impact.

27 5. No combination of truck-tractor and semitrailer or  
28 truck-tractor equipped with dromedary and semitrailer operated

1 upon the highways of this state shall have a length, including  
2 load, in excess of sixty feet; except that in order to comply  
3 with the provisions of P.L. 97-424 codified in Title 23 of the  
4 United States Code [(Public Law 97-424)], 23 U.S.C. Section 101,  
5 et al., as amended, no combination of truck-tractor and  
6 semitrailer or truck-tractor equipped with dromedary and  
7 semitrailer operated upon the interstate highway system of this  
8 state shall have an overall length, including load, in excess of  
9 the length of the truck-tractor plus the semitrailer or  
10 truck-tractor equipped with dromedary and semitrailer. The  
11 length of such semitrailer shall not exceed fifty-three feet.

12 6. In order to comply with the provisions of P.L. 97-424  
13 codified in Title 23 of the United States Code [(Public Law  
14 97-424)], 23 U.S.C. Section 101, et al., as amended, no  
15 combination of truck-tractor, semitrailer and trailer operated  
16 upon the interstate highway system of this state shall have an  
17 overall length, including load, in excess of the length of the  
18 truck-tractor plus the semitrailer and trailer, neither of which  
19 semitrailer or trailer shall exceed twenty-eight feet in length,  
20 except that any existing semitrailer or trailer up to  
21 twenty-eight and one-half feet in length actually and lawfully  
22 operated on December 1, 1982, within a sixty-five foot overall  
23 length limit in any state, may continue to be operated upon the  
24 interstate highways of this state. On those primary highways not  
25 designated by the state highways and transportation commission as  
26 provided in subsection [10] 11 of this section, no combination of  
27 truck-tractor, semitrailer and trailer shall have an overall  
28 length, including load, in excess of sixty-five feet; provided,

1 however, the [state highways and transportation] commission may  
2 designate additional routes for such sixty-five foot  
3 combinations.

4 7. Automobile transporters, boat transporters,  
5 truck-trailer boat transporter combinations, [stinger-steered  
6 combination automobile transporters] and stinger-steered  
7 combination boat transporters having a length not in excess of  
8 seventy-five feet may be operated on the interstate highways of  
9 this state and such other highways as may be designated by the  
10 [highways and transportation] commission for the operation of  
11 such vehicles plus a distance not to exceed ten miles from such  
12 interstate or designated highway. All length provisions  
13 regarding automobile or boat transporters, truck-trailer boat  
14 transporter combinations and stinger-steered [combinations]  
15 combination boat transporters shall include a semitrailer length  
16 not to exceed fifty-three feet and are exclusive of front and  
17 rear overhang, which shall be no greater than a three-foot front  
18 overhang and no greater than a four-foot rear overhang.

19 (1) Stinger-steered combination automobile transporters  
20 having a length not in excess of eighty feet may be operated on  
21 the interstate highways of this state and such other highways as  
22 may be designated by the commission for the operation of such  
23 vehicles plus a distance not to exceed ten miles from such  
24 interstate or designated highway. All length provisions  
25 regarding stinger-steered automobile combination transporters are  
26 exclusive of front and rear overhang, which shall be no greater  
27 than a four-foot front overhang and no greater than a six-foot  
28 rear overhang.



1       (2) Automobile transporters may transport cargo or general  
2 freight on a backhaul, as long as in compliance with weight  
3 limitations for a truck-tractor and semitrailer combination as  
4 outlined in section 304.180.

5       8. Driveaway saddlemount combinations having a length not  
6 in excess of ninety-seven feet may be operated on the interstate  
7 highways of this state and such other highways as may be  
8 designated by the [highways and transportation] commission for  
9 the operation of such vehicles plus a distance not to exceed ten  
10 miles from such interstate or designated highway. Saddlemount  
11 combinations must comply with the safety requirements of Section  
12 393.71 of Title 49 of the Code of Federal Regulations and may  
13 contain no more than three saddlemounted vehicles and one  
14 fullmount.

15       9. No truck-tractor semitrailer-semitrailer combination  
16 vehicles operated upon the interstate and designated primary  
17 highway system of this state shall have a semitrailer length in  
18 excess of twenty-eight feet or twenty-eight and one-half feet if  
19 the semitrailer was in actual and lawful operation in any state  
20 on December 1, 1982, operating in a truck-tractor  
21 semitrailer-semitrailer combination. The B-train assembly is  
22 excluded from the measurement of semitrailer length when used  
23 between the first and second semitrailer of a truck-tractor  
24 semitrailer-semitrailer combination, except that when there is no  
25 semitrailer mounted to the B-train assembly, it shall be included  
26 in the length measurement of the semitrailer.

27       10. No towaway trailer transporter combination vehicles  
28 operated upon the interstate and designated primary highway

1 system of this state shall have an overall length of more than  
2 eighty-two feet.

3 11. The [highways and transportation] commission is  
4 authorized to designate routes on the state highway system other  
5 than the interstate system over which those combinations of  
6 vehicles of the lengths specified in subsections 5, 6, 7, 8,  
7 [and] 9, and 10 of this section may be operated. Combinations of  
8 vehicles operated under the provisions of subsections 5, 6, 7, 8,  
9 [and] 9, and 10 of this section may be operated at a distance not  
10 to exceed ten miles from the interstate system and such routes as  
11 designated under the provisions of this subsection.

12 [11.] 12. Except as provided in subsections 5, 6, 7, 8, 9,  
13 [and] 10, and 11 of this section, no other combination of  
14 vehicles operated upon the primary or interstate highways of this  
15 state plus a distance of ten miles from a primary or interstate  
16 highway shall have an overall length, unladen or with load, in  
17 excess of sixty-five feet or in excess of fifty-five feet on any  
18 other highway[, except the state highways and transportation  
19 commission may designate additional routes for use by sixty-five  
20 foot combinations, seventy-five foot stinger-steered or  
21 seventy-five foot saddlemount combinations. Any vehicle or  
22 combination of vehicles transporting automobiles, boats or other  
23 motor vehicles may carry a load which extends no more than three  
24 feet beyond the front and four feet beyond the rear of the  
25 transporting vehicle or combination of vehicles].

26 [12.] 13. (1) Except as hereinafter provided, these  
27 restrictions shall not apply to agricultural implements operating  
28 occasionally on the highways for short distances including

1 tractor parades for fund-raising activities or special events,  
2 provided the tractors are driven by licensed drivers during  
3 daylight hours only and with the approval of the superintendent  
4 of the Missouri state highway patrol; or to self-propelled  
5 hay-hauling equipment or to implements of husbandry, or to the  
6 movement of farm products as defined in section 400.9-102 or to  
7 vehicles temporarily transporting agricultural implements or  
8 implements of husbandry or road-making machinery, or road  
9 materials or towing for repair purposes vehicles that have become  
10 disabled upon the highways; or to implement dealers delivering or  
11 moving farm machinery for repairs on any state highway other than  
12 the interstate system.

13 (2) Implements of husbandry and vehicles transporting such  
14 machinery or equipment and the movement of farm products as  
15 defined in section 400.9-102 may be operated occasionally for  
16 short distances on state highways when operated between the hours  
17 of sunrise and sunset by a driver licensed as an operator or  
18 chauffeur.

19 (3) Notwithstanding any other provision of law to the  
20 contrary, agricultural machinery and implements may be operated  
21 on state highways between the hours of sunset and sunrise for  
22 agricultural purposes provided such vehicles are equipped with  
23 lighting meeting the requirements of section 307.115.

24 [13.] 14. As used in this chapter the term "implements of  
25 husbandry" means all self-propelled machinery operated at speeds  
26 of less than thirty miles per hour, specifically designed for, or  
27 especially adapted to be capable of, incidental over-the-road and  
28 primary offroad usage and used exclusively for the application of

1 commercial plant food materials or agricultural chemicals, and  
2 not specifically designed or intended for transportation of such  
3 chemicals and materials.

4 [14.] 15. Sludge disposal units may be operated on all  
5 state highways other than the interstate system. Such units  
6 shall not exceed one hundred thirty-eight inches in width and may  
7 be equipped with over-width tires. Such units shall observe all  
8 axle weight limits. The [chief engineer of the state  
9 transportation department] commission shall issue special permits  
10 for the movement of such disposal units and may by such permits  
11 restrict the movements to specified routes, days and hours.

12 304.180. 1. No vehicle or combination of vehicles shall be  
13 moved or operated on any highway in this state having a greater  
14 weight than twenty thousand pounds on one axle, no combination of  
15 vehicles operated by transporters of general freight over regular  
16 routes as defined in section 390.020 shall be moved or operated  
17 on any highway of this state having a greater weight than the  
18 vehicle manufacturer's rating on a steering axle with the maximum  
19 weight not to exceed twelve thousand pounds on a steering axle,  
20 and no vehicle shall be moved or operated on any state highway of  
21 this state having a greater weight than thirty-four thousand  
22 pounds on any tandem axle; the term "tandem axle" shall mean a  
23 group of two or more axles, arranged one behind another, the  
24 distance between the extremes of which is more than forty inches  
25 and not more than ninety-six inches apart.

26 2. An "axle load" is defined as the total load transmitted  
27 to the road by all wheels whose centers are included between two  
28 parallel transverse vertical planes forty inches apart, extending

1 across the full width of the vehicle.

2 3. Subject to the limit upon the weight imposed upon a  
3 highway of this state through any one axle or on any tandem axle,  
4 the total gross weight with load imposed by any group of two or  
5 more consecutive axles of any vehicle or combination of vehicles  
6 shall not exceed the maximum load in pounds as set forth in the  
7 following table:

8 Distance in feet between the extremes  
9 of any group of two or more consecutive  
10 axles, measured to the nearest foot,  
11 except where indicated otherwise  
12 Maximum load in pounds

13	feet	2 axles	3 axles	4 axles	5 axles	6 axles
14						
15	4	34,000				
16	5	34,000				
17	6	34,000				
18	7	34,000				
19	8	34,000	34,000			
20	More than 8	38,000	42,000			
21	9	39,000	42,500			
22	10	40,000	43,500			
23	11	40,000	44,000			
24	12	40,000	45,000	50,000		
25	13	40,000	45,500	50,500		
26	14	40,000	46,500	51,500		
27	15	40,000	47,000	52,000		
28	16	40,000	48,000	52,500	58,000	

1	17	40,000	48,500	53,500	58,500	
2	18	40,000	49,500	54,000	59,000	
3	19	40,000	50,000	54,500	60,000	
4	20	40,000	51,000	55,500	60,500	66,000
5	21	40,000	51,500	56,000	61,000	66,500
6	22	40,000	52,500	56,500	61,500	67,000
7	23	40,000	53,000	57,500	62,500	68,000
8	24	40,000	54,000	58,000	63,000	68,500
9	25	40,000	54,500	58,500	63,500	69,000
10	26	40,000	55,500	59,500	64,000	69,500
11	27	40,000	56,000	60,000	65,000	70,000
12	28	40,000	57,000	60,500	65,500	71,000
13	29	40,000	57,500	61,500	66,000	71,500
14	30	40,000	58,500	62,000	66,500	72,000
15	31	40,000	59,000	62,500	67,500	72,500
16	32	40,000	60,000	63,500	68,000	73,000
17	33	40,000	60,000	64,000	68,500	74,000
18	34	40,000	60,000	64,500	69,000	74,500
19	35	40,000	60,000	65,500	70,000	75,000
20	36		60,000	66,000	70,500	75,500
21	37		60,000	66,500	71,000	76,000
22	38		60,000	67,500	72,000	77,000
23	39		60,000	68,000	72,500	77,500
24	40		60,000	68,500	73,000	78,000
25	41		60,000	69,500	73,500	78,500
26	42		60,000	70,000	74,000	79,000
27	43		60,000	70,500	75,000	80,000
28	44		60,000	71,500	75,500	80,000

1	45	60,000	72,000	76,000	80,000
2	46	60,000	72,500	76,500	80,000
3	47	60,000	73,500	77,500	80,000
4	48	60,000	74,000	78,000	80,000
5	49	60,000	74,500	78,500	80,000
6	50	60,000	75,500	79,000	80,000
7	51	60,000	76,000	80,000	80,000
8	52	60,000	76,500	80,000	80,000
9	53	60,000	77,500	80,000	80,000
10	54	60,000	78,000	80,000	80,000
11	55	60,000	78,500	80,000	80,000
12	56	60,000	79,500	80,000	80,000
13	57	60,000	80,000	80,000	80,000

14

15 Notwithstanding the above table, two consecutive sets of tandem  
 16 axles may carry a gross load of thirty-four thousand pounds each  
 17 if the overall distance between the first and last axles of such  
 18 consecutive sets of tandem axles is thirty-six feet or more.

19 4. Whenever the state highways and transportation  
 20 commission finds that any state highway bridge in the state is in  
 21 such a condition that use of such bridge by vehicles of the  
 22 weights specified in subsection 3 of this section will endanger  
 23 the bridge, or the users of the bridge, the commission may  
 24 establish maximum weight limits and speed limits for vehicles  
 25 using such bridge. The governing body of any city or county may  
 26 grant authority by act or ordinance to the [state highways and  
 27 transportation] commission to enact the limitations established  
 28 in this section on those roadways within the purview of such city

1 or county. Notice of the weight limits and speed limits  
2 established by the commission shall be given by posting signs at  
3 a conspicuous place at each end of any such bridge.

4 5. Nothing in this section shall be construed as permitting  
5 lawful axle loads, tandem axle loads or gross loads in excess of  
6 those permitted under the provisions of [Section 127 of Title 23  
7 of the United States Code] P.L. 97-424 codified in Title 23 of  
8 the United States Code (23 U.S.C. Section 101, et al.), as  
9 amended.

10 6. Notwithstanding the weight limitations contained in this  
11 section, any vehicle or combination of vehicles operating on  
12 highways other than the interstate highway system may exceed  
13 single axle, tandem axle and gross weight limitations in an  
14 amount not to exceed two thousand pounds. However, total gross  
15 weight shall not exceed eighty thousand pounds, except as  
16 provided in subsections 9, [and] 10, 12, and 13 of this section.

17 7. Notwithstanding any provision of this section to the  
18 contrary, the [department of transportation] commission shall  
19 issue a single-use special permit, or upon request of the owner  
20 of the truck or equipment, shall issue an annual permit, for the  
21 transporting of any concrete pump truck or well-drillers'  
22 equipment. The [department of transportation] commission shall  
23 set fees for the issuance of permits pursuant to this subsection.  
24 Notwithstanding the provisions of section 301.133, concrete pump  
25 trucks or well-drillers' equipment may be operated on  
26 state-maintained roads and highways at any time on any day.

27 8. Notwithstanding the provision of this section to the  
28 contrary, the maximum gross vehicle limit and axle weight limit



1 for any vehicle or combination of vehicles equipped with an idle  
2 reduction technology may be increased by a quantity necessary to  
3 compensate for the additional weight of the idle reduction system  
4 as provided for in 23 U.S.C. Section 127, as amended. In no case  
5 shall the additional weight increase allowed by this subsection  
6 be greater than five hundred fifty pounds. Upon request by an  
7 appropriate law enforcement officer, the vehicle operator shall  
8 provide proof that the idle reduction technology is fully  
9 functional at all times and that the gross weight increase is not  
10 used for any purpose other than for the use of idle reduction  
11 technology.

12 9. Notwithstanding any provision of this section or any  
13 other law to the contrary, the total gross weight of any vehicle  
14 or combination of vehicles hauling milk, from a farm to a  
15 processing facility or livestock may be as much as, but shall not  
16 exceed, eighty-five thousand five hundred pounds while operating  
17 on highways other than the interstate highway system. The  
18 provisions of this subsection shall not apply to vehicles  
19 operated and operating on the Dwight D. Eisenhower System of  
20 Interstate and Defense Highways.

21 10. Notwithstanding any provision of this section or any  
22 other law to the contrary, any vehicle or combination of vehicles  
23 hauling grain or grain coproducts during times of harvest may be  
24 as much as, but not exceeding, ten percent over the maximum  
25 weight limitation allowable under subsection 3 of this section  
26 while operating on highways other than the interstate highway  
27 system. The provisions of this subsection shall not apply to  
28 vehicles operated and operating on the Dwight D. Eisenhower

1 System of Interstate and Defense Highways.

2 11. Notwithstanding any provision of this section or any  
3 other law to the contrary, the [department of transportation]  
4 commission shall issue emergency utility response permits for the  
5 transporting of utility wires or cables, poles, and equipment  
6 needed for repair work immediately following a disaster where  
7 utility service has been disrupted. Under exigent circumstances,  
8 verbal approval of such operation may be made either by the  
9 department of transportation motor carrier compliance supervisor  
10 or other designated motor carrier services representative.  
11 Utility vehicles and equipment used to assist utility companies  
12 granted special permits under this subsection may be operated and  
13 transported on state-maintained roads and highways at any time on  
14 any day. The [department of transportation] commission shall  
15 promulgate all necessary rules and regulations for the  
16 administration of this section. Any rule or portion of a rule,  
17 as that term is defined in section 536.010, that is created under  
18 the authority delegated in this section shall become effective  
19 only if it complies with and is subject to all of the provisions  
20 of chapter 536 and, if applicable, section 536.028. This section  
21 and chapter 536 are nonseverable and if any of the powers vested  
22 with the general assembly pursuant to chapter 536 to review, to  
23 delay the effective date, or to disapprove and annul a rule are  
24 subsequently held unconstitutional, then the grant of rulemaking  
25 authority and any rule proposed or adopted after August 28, 2014,  
26 shall be invalid and void.

27 12. Notwithstanding any provision of this section to the  
28 contrary, emergency vehicles designed to be used under emergency

1 conditions to transport personnel and equipment and to mitigate  
2 hazardous situations may have a maximum gross vehicle weight of  
3 eighty-six thousand pounds inclusive of twenty-four thousand  
4 pounds on a single steering axle; thirty-three thousand five  
5 hundred pounds on a single drive axle; sixty-two thousand pounds  
6 on a tandem axle; or fifty-two thousand pounds on a tandem rear  
7 drive steer axle.

8 13. Notwithstanding any provision of this section to the  
9 contrary, a vehicle operated by an engine fueled primarily by  
10 natural gas may operate upon the public highways of this state in  
11 excess of the vehicle weight limits set forth in this section by  
12 an amount that is equal to the difference between the weight of  
13 the vehicle attributable to the natural gas tank and fueling  
14 system carried by that vehicle and the weight of a comparable  
15 diesel tank and fueling system. In no event shall the maximum  
16 gross vehicle weight of the vehicle operating with a natural gas  
17 engine exceed eighty-two thousand pounds.

18 307.005. For purposes of this chapter, a lamp, light, or  
19 other piece of lighting equipment consisting of multiple light-  
20 emitting diodes shall be deemed to be operating properly so long  
21 as not less than seventy-five percent of the light-emitting  
22 diodes are operating properly.

23 307.175. 1. Motor vehicles and equipment which are  
24 operated by any member of an organized fire department, ambulance  
25 association, or rescue squad, whether paid or volunteer, may be  
26 operated on streets and highways in this state as an emergency  
27 vehicle under the provisions of section 304.022 while responding  
28 to a fire call or ambulance call or at the scene of a fire call

1 or ambulance call and while using or sounding a warning siren and  
2 using or displaying thereon fixed, flashing or rotating blue  
3 lights, but sirens and blue lights shall be used only in bona  
4 fide emergencies.

5 2. [Motor vehicles and equipment owned by the state  
6 highways and transportation commission or contractor or  
7 subcontractor performing work for the department of  
8 transportation may use or display thereon fixed, flashing, or  
9 rotating amber or white lights, but amber or white lights shall  
10 be used only while such vehicle is stationary in a work zone, as  
11 defined in section 304.580, when highway workers, as defined in  
12 section 304.580, are present.] (1) Notwithstanding subsection 1  
13 of this section, the following vehicles may use or display fixed,  
14 flashing, or rotating red or red and blue lights:

15 (a) Emergency vehicles, as defined in section 304.022, when  
16 responding to an emergency;

17 (b) Vehicles operated as described in subsection 1 of this  
18 section;

19 (c) Vehicles owned by a contractor or subcontractor  
20 performing work for the department of transportation, except that  
21 the red or red and blue lights shall be displayed on vehicles  
22 described in this paragraph only between dusk and dawn, when such  
23 vehicles are stationary, such vehicles are located in a work zone  
24 as defined in section 304.580, highway workers as defined in  
25 section 304.580 are present, and such work zone is designated by  
26 a sign or signs.

27 (2) The following vehicles may use or display fixed,  
28 flashing, or rotating amber or amber and white lights:

1       (a) Vehicles owned or leased by the state highways and  
2 transportation commission and operated by an authorized employee  
3 of the department of transportation;

4       (b) Vehicles owned by a contractor or subcontractor  
5 performing work for the department of transportation, except that  
6 the amber or amber and white lights shall be displayed on  
7 vehicles described in this paragraph only when such vehicles are  
8 stationary;

9       (c) Vehicles operated by a utility worker performing work  
10 for the utility, except that the amber or amber and white lights  
11 shall be displayed on vehicles described in this paragraph only  
12 when such vehicles are stationary. As used in this paragraph,  
13 the term "utility worker" means any employee while in performance  
14 of his or her job duties, including any person employed under  
15 contract of a utility that provides gas, heat, electricity,  
16 water, steam, telecommunications or cable services, or sewer  
17 services, whether privately, municipally, or cooperatively owned.

18       3. Permits for the operation of such vehicles equipped with  
19 sirens or blue lights shall be in writing and shall be issued and  
20 may be revoked by the chief of an organized fire department,  
21 organized ambulance association, rescue squad, or the state  
22 highways and transportation commission and no person shall use or  
23 display a siren or blue lights on a motor vehicle, fire,  
24 ambulance, or rescue equipment without a valid permit authorizing  
25 the use. A permit to use a siren or lights as heretofore set out  
26 does not relieve the operator of the vehicle so equipped with  
27 complying with all other traffic laws and regulations. Violation  
28 of this section constitutes a class A misdemeanor.

1 407.816. 1. As used in subdivision (7) of section 407.815,  
2 the term "motor vehicle" shall not include "trailer" as such term  
3 is defined in [subdivision (60) of] section 301.010.

4 2. Prior to August 1, 2002, the provisions of section  
5 407.817, subdivisions (13), (17) and (18) of section 407.825 and  
6 section 407.826 shall not apply to recreational vehicle dealers  
7 or manufacturers.

8 3. As of August 1, 2002, the term "motor vehicle" as used  
9 in sections 407.810 to 407.835 shall not apply to recreational  
10 vehicles as defined in section 407.1320.

11 Section B. Because of the need to protect lives on our  
12 roads and highways, the repeal and reenactment of sections  
13 304.022 and 307.175 of this act is deemed necessary for the  
14 immediate preservation of the public health, welfare, peace and  
15 safety, and is hereby declared to be an emergency act within the  
16 meaning of the constitution, and the repeal and reenactment of  
17 sections 304.022 and 307.175 of this act shall be in full force  
18 and effect upon its passage and approval.

19 ✓  
20 \_\_\_\_\_  
21

22  
23  
24  
25  
26  
27  
28 \_\_\_\_\_  
29 Brian Munzlinger

\_\_\_\_\_

Shawn Rhoads