

CONFERENCE COMMITTEE SUBSTITUTE

FOR

SENATE BILL NO. 222

AN ACT

To repeal sections 287.020, 287.040, 288.035, 301.010, 301.031, 301.227, 301.550, 304.005, 304.022, 304.170, 304.180, 307.175, and 407.816, RSMo, and to enact in lieu thereof fourteen new sections relating to motorized vehicles, with existing penalty provisions.

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

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3 307.175, and 407.816, RSMo, are repealed and fourteen new  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

8           287.020. 1. The word "employee" as used in this chapter  
9 shall be construed to mean every person in the service of any  
10 employer, as defined in this chapter, under any contract of hire,  
11 express or implied, oral or written, or under any appointment or  
12 election, including executive officers of corporations. Except  
13 as otherwise provided in section 287.200, any reference to any  
14 employee who has been injured shall, when the employee is dead,  
15 also include his dependents, and other persons to whom  
16 compensation may be payable.

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

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

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

1 disability.

2 (2) An injury shall be deemed to arise out of and in the  
3 course of the employment only if:

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

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

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

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

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

1 at work.

2 4. "Death" when mentioned as a basis for the right to  
3 compensation means only death resulting from such violence and  
4 its resultant effects occurring within three hundred weeks after  
5 the accident; except that in cases of occupational disease, the  
6 limitation of three hundred weeks shall not be applicable.

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

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

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

1 department of insurance, financial institutions and professional  
2 registration of the state of Missouri.

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

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

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

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

26 287.040. 1. Any person who has work done under contract on  
27 or about his premises which is an operation of the usual business  
28 which he there carries on shall be deemed an employer and shall

1 be liable under this chapter to such contractor, his  
2 subcontractors, and their employees, when injured or killed on or  
3 about the premises of the employer while doing work which is in  
4 the usual course of his business.

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

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

24 4. The provisions of this section shall not apply to the  
25 relationship between a for-hire motor carrier operating within a  
26 commercial zone as defined in section 390.020 or 390.041 or  
27 operating under a certificate issued by the Missouri department  
28 of transportation or by the United States Department of

1 Transportation, or any of its subagencies, and an owner, as  
2 defined in [subdivision (42) of] section 301.010, and operator of  
3 a motor vehicle.

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

18 301.010. As used in this chapter and sections 304.010 to  
19 304.040, 304.120 to 304.260, and sections 307.010 to 307.175, the  
20 following terms mean:

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

26 (2) "Automobile transporter", any vehicle combination  
27 capable of carrying cargo on the power unit and designed and used  
28 [specifically] for the transport of assembled motor vehicles,

1 including truck camper units;

2 (3) "Axle load", the total load transmitted to the road by  
3 all wheels whose centers are included between two parallel  
4 transverse vertical planes forty inches apart, extending across  
5 the full width of the vehicle;

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

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

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

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

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

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

28 [(9)] (10) "Dealer", any person, firm, corporation,



1 association, agent or subagent engaged in the sale or exchange of  
2 new, used or reconstructed motor vehicles or trailers;

3 [(10)] (11) "Director" or "director of revenue", the  
4 director of the department of revenue;

5 [(11)] (12) "Driveaway operation":

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

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

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

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

1            [(13)] (14) "Farm tractor", a tractor used exclusively for  
2 agricultural purposes;

3            [(14)] (15) "Fleet", any group of ten or more motor  
4 vehicles owned by the same owner;

5            [(15)] (16) "Fleet vehicle", a motor vehicle which is  
6 included as part of a fleet;

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

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

13           [(18)] (19) "Hail-damaged vehicle", any vehicle, the body  
14 of which has become dented as the result of the impact of hail;

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

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

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

24           [(22)] (23) "Junk vehicle", a vehicle which:

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

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

1            [(23)] (24) "Kit vehicle", a motor vehicle assembled by a  
2 person other than a generally recognized manufacturer of motor  
3 vehicles by the use of a glider kit or replica purchased from an  
4 authorized manufacturer and accompanied by a manufacturer's  
5 statement of origin;

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

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

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

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

1 control by virtue of a landlord and tenant lease; provided that  
2 any such property transported to any such farm is for use in the  
3 operation of such farm;

4 [(26)] (27) "Local log truck", a commercial motor vehicle  
5 which is registered pursuant to this chapter to operate as a  
6 motor vehicle on the public highways of this state, used  
7 exclusively in this state, used to transport harvested forest  
8 products, operated solely at a forested site and in an area  
9 extending not more than a one hundred-mile radius from such site,  
10 carries a load with dimensions not in excess of twenty-five cubic  
11 yards per two axles with dual wheels, and when operated on the  
12 national system of interstate and defense highways described in  
13 23 U.S.C. Section 103, as amended, such vehicle shall not exceed  
14 the weight limits of section 304.180, does not have more than  
15 four axles, and does not pull a trailer which has more than two  
16 axles. Harvesting equipment which is used specifically for  
17 cutting, felling, trimming, delimiting, debarking, chipping,  
18 skidding, loading, unloading, and stacking may be transported on  
19 a local log truck. A local log truck may not exceed the limits  
20 required by law, however, if the truck does exceed such limits as  
21 determined by the inspecting officer, then notwithstanding any  
22 other provisions of law to the contrary, such truck shall be  
23 subject to the weight limits required by such sections as  
24 licensed for eighty thousand 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 forty-  
5 four thousand eight hundred pounds on any tandem axle, and when  
6 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, such vehicle does  
9 not exceed the weight limits contained in section 304.180, and  
10 does not have more than three axles and does not pull a trailer  
11 which has more than two axles. Violations of axle weight  
12 limitations shall be subject to the load limit penalty as  
13 described for in sections 304.180 to 304.220;

14 [(28)] (29) "Local transit bus", a bus whose operations are  
15 confined wholly within a municipal corporation, or wholly within  
16 a municipal corporation and a commercial zone, as defined in  
17 section 390.020, adjacent thereto, forming a part of a public  
18 transportation system within such municipal corporation and such  
19 municipal corporation and adjacent commercial zone;

20 [(29)] (30) "Log truck", a vehicle which is not a local log  
21 truck or local log truck tractor and is used exclusively to  
22 transport harvested forest products to and from forested sites  
23 which is registered pursuant to this chapter to operate as a  
24 motor vehicle on the public highways of this state for the  
25 transportation of harvested forest products;

26 [(30)] (31) "Major component parts", the rear clip, cowl,  
27 frame, body, cab, front-end assembly, and front clip, as those  
28 terms are defined by the director of revenue pursuant to rules

1 and regulations or by illustrations;

2 [(31)] (32) "Manufacturer", any person, firm, corporation  
3 or association engaged in the business of manufacturing or  
4 assembling motor vehicles, trailers or vessels for sale;

5 [(32)] (33) "Motor change vehicle", a vehicle manufactured  
6 prior to August, 1957, which receives a new, rebuilt or used  
7 engine, and which used the number stamped on the original engine  
8 as the vehicle identification number;

9 [(33)] (34) "Motor vehicle", any self-propelled vehicle not  
10 operated exclusively upon tracks, except farm tractors;

11 [(34)] (35) "Motor vehicle primarily for business use", any  
12 vehicle other than a recreational motor vehicle, motorcycle,  
13 motortricycle, or any commercial motor vehicle licensed for over  
14 twelve thousand pounds:

15 (a) Offered for hire or lease; or

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

18 [(35)] (36) "Motorcycle", a motor vehicle operated on two  
19 wheels;

20 [(36)] (37) "Motorized bicycle", any two-wheeled or three-  
21 wheeled device having an automatic transmission and a motor with  
22 a cylinder capacity of not more than fifty cubic centimeters,  
23 which produces less than three gross brake horsepower, and is  
24 capable of propelling the device at a maximum speed of not more  
25 than thirty miles per hour on level ground;

26 [(37)] (38) "Motortricycle", a motor vehicle operated on  
27 three wheels, including a motorcycle while operated with any  
28 conveyance, temporary or otherwise, requiring the use of a third

1 wheel. A motortricycle shall not be included in the definition  
2 of all-terrain vehicle;

3 [(38)] (39) "Municipality", any city, town or village,  
4 whether incorporated or not;

5 [(39)] (40) "Nonresident", a resident of a state or country  
6 other than the state of Missouri;

7 [(40)] (41) "Non-USA-std motor vehicle", a motor vehicle  
8 not originally manufactured in compliance with United States  
9 emissions or safety standards;

10 [(41)] (42) "Operator", any person who operates or drives a  
11 motor vehicle;

12 [(42)] (43) "Owner", any person, firm, corporation or  
13 association, who holds the legal title to a vehicle or in the  
14 event a vehicle is the subject of an agreement for the  
15 conditional sale or lease thereof with the right of purchase upon  
16 performance of the conditions stated in the agreement and with an  
17 immediate right of possession vested in the conditional vendee or  
18 lessee, or in the event a mortgagor of a vehicle is entitled to  
19 possession, then such conditional vendee or lessee or mortgagor  
20 shall be deemed the owner [for the purpose of this law];

21 [(43)] (44) "Public garage", a place of business where  
22 motor vehicles are housed, stored, repaired, reconstructed or  
23 repainted for persons other than the owners or operators of such  
24 place of business;

25 [(44)] (45) "Rebuilder", a business that repairs or  
26 rebuilds motor vehicles owned by the rebuilder, but does not  
27 include certificated common or contract carriers of persons or  
28 property;

1            [(45)] (46) "Reconstructed motor vehicle", a vehicle that  
2 is altered from its original construction by the addition or  
3 substitution of two or more new or used major component parts,  
4 excluding motor vehicles made from all new parts, and new  
5 multistage manufactured vehicles;

6            [(46)] (47) "Recreational motor vehicle", any motor vehicle  
7 designed, constructed or substantially modified so that it may be  
8 used and is used for the purposes of temporary housing quarters,  
9 including therein sleeping and eating facilities which are either  
10 permanently attached to the motor vehicle or attached to a unit  
11 which is securely attached to the motor vehicle. Nothing herein  
12 shall prevent any motor vehicle from being registered as a  
13 commercial motor vehicle if the motor vehicle could otherwise be  
14 so registered;

15           [(47)] (48) "Recreational off-highway vehicle", any  
16 motorized vehicle manufactured and used exclusively for off-  
17 highway use which is more than fifty inches but no more than  
18 sixty-seven inches in width, with an unladen dry weight of two  
19 thousand pounds or less, traveling on four or more nonhighway  
20 tires and which may have access to ATV trails;

21           [(48)] (49) "Rollback or car carrier", any vehicle  
22 specifically designed to transport wrecked, disabled or otherwise  
23 inoperable vehicles, when the transportation is directly  
24 connected to a wrecker or towing service;

25           [(49)] (50) "Saddlemount combination", a combination of  
26 vehicles in which a truck or truck tractor tows one or more  
27 trucks or truck tractors, each connected by a saddle to the frame  
28 or fifth wheel of the vehicle in front of it. The "saddle" is a



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

8 [(50)] (51) "Salvage dealer and dismantler", a business  
9 that dismantles used motor vehicles for the sale of the parts  
10 thereof, and buys and sells used motor vehicle parts and  
11 accessories;

12 [(51)] (52) "Salvage vehicle", a motor vehicle,  
13 semitrailer, or house trailer which:

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

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

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

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

28 (e) Is abandoned property which is titled pursuant to

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

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

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

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

19 [(52)] (53) "School bus", any motor vehicle used solely to  
20 transport students to or from school or to transport students to  
21 or from any place for educational purposes;

22 [(53)] (54) "Scrap processor", a business that, through the  
23 use of fixed or mobile equipment, flattens, crushes, or otherwise  
24 accepts motor vehicles and vehicle parts for processing or  
25 transportation to a shredder or scrap metal operator for  
26 recycling;

27 [(54)] (55) "Shuttle bus", a motor vehicle used or  
28 maintained by any person, firm, or corporation as an incidental

1 service to transport patrons or customers of the regular business  
2 of such person, firm, or corporation to and from the place of  
3 business of the person, firm, or corporation providing the  
4 service at no fee or charge. Shuttle buses shall not be  
5 registered as buses or as commercial motor vehicles;

6 [(55)] (56) "Special mobile equipment", every self-  
7 propelled vehicle not designed or used primarily for the  
8 transportation of persons or property and incidentally operated  
9 or moved over the highways, including farm equipment, implements  
10 of husbandry, road construction or maintenance machinery, ditch-  
11 digging apparatus, stone crushers, air compressors, power  
12 shovels, cranes, graders, rollers, well-drillers and wood-sawing  
13 equipment used for hire, asphalt spreaders, bituminous mixers,  
14 bucket loaders, ditchers, leveling graders, finished machines,  
15 motor graders, road rollers, scarifiers, earth-moving carryalls,  
16 scrapers, drag lines, concrete pump trucks, rock-drilling and  
17 earth-moving equipment. This enumeration shall be deemed partial  
18 and shall not operate to exclude other such vehicles which are  
19 within the general terms of this section;

20 [(56)] (57) "Specially constructed motor vehicle", a motor  
21 vehicle which shall not have been originally constructed under a  
22 distinctive name, make, model or type by a manufacturer of motor  
23 vehicles. The term specially constructed motor vehicle includes  
24 kit vehicles;

25 [(57)] (58) "Stinger-steered combination", a truck tractor-  
26 semitrailer wherein the fifth wheel is located on a drop frame  
27 located behind and below the rearmost axle of the power unit;

28 [(58)] (59) "Tandem axle", a group of two or more axles,

1 arranged one behind another, the distance between the extremes of  
2 which is more than forty inches and not more than ninety-six  
3 inches apart;

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

11 [(59)] (61) "Tractor", "truck tractor" or "truck-tractor",  
12 a self-propelled motor vehicle designed for drawing other  
13 vehicles, but not for the carriage of any load when operating  
14 independently. When attached to a semitrailer, it supports a  
15 part of the weight thereof;

16 [(60)] (62) "Trailer", any vehicle without motive power  
17 designed for carrying property or passengers on its own structure  
18 and for being drawn by a self-propelled vehicle, except those  
19 running exclusively on tracks, including a semitrailer or vehicle  
20 of the trailer type so designed and used in conjunction with a  
21 self-propelled vehicle that a considerable part of its own weight  
22 rests upon and is carried by the towing vehicle. The term  
23 trailer shall not include cotton trailers as defined in  
24 [subdivision (8) of] this section and shall not include  
25 manufactured homes as defined in section 700.010;

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

1            [(61)] (64) "Truck", a motor vehicle designed, used, or  
2 maintained for the transportation of property;

3            [(62)] (65) "Truck-tractor semitrailer-semitrailer", a  
4 combination vehicle in which the two trailing units are connected  
5 with a B-train assembly which is a rigid frame extension attached  
6 to the rear frame of a first semitrailer which allows for a  
7 fifth-wheel connection point for the second semitrailer and has  
8 one less articulation point than the conventional A-dolly  
9 connected truck-tractor semitrailer-trailer combination;

10           [(63)] (66) "Truck-trailer boat transporter combination", a  
11 boat transporter combination consisting of a straight truck  
12 towing a trailer using typically a ball and socket connection  
13 with the trailer axle located substantially at the trailer center  
14 of gravity rather than the rear of the trailer but so as to  
15 maintain a downward force on the trailer tongue;

16           [(64)] (67) "Used parts dealer", a business that buys and  
17 sells used motor vehicle parts or accessories, but not including  
18 a business that sells only new, remanufactured or rebuilt parts.  
19 Business does not include isolated sales at a swap meet of less  
20 than three days;

21           [(65)] (68) "Utility vehicle", any motorized vehicle  
22 manufactured and used exclusively for off-highway use which is  
23 more than fifty inches but no more than sixty-seven inches in  
24 width, with an unladen dry weight of two thousand pounds or less,  
25 traveling on four or six wheels, to be used primarily for  
26 landscaping, lawn care, or maintenance purposes;

27           [(66)] (69) "Vanpool", any van or other motor vehicle used  
28 or maintained by any person, group, firm, corporation,

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

13 [(67)] (70) "Vehicle", any mechanical device on wheels,  
14 designed primarily for use, or used, on highways, except  
15 motorized bicycles, vehicles propelled or drawn by horses or  
16 human power, or vehicles used exclusively on fixed rails or  
17 tracks, or cotton trailers or motorized wheelchairs operated by  
18 handicapped persons;

19 [(68)] (71) "Wrecker" or "tow truck", any emergency  
20 commercial vehicle equipped, designed and used to assist or  
21 render aid and transport or tow disabled or wrecked vehicles from  
22 a highway, road, street or highway rights-of-way to a point of  
23 storage or repair, including towing a replacement vehicle to  
24 replace a disabled or wrecked vehicle;

25 [(69)] (72) "Wrecker or towing service", the act of  
26 transporting, towing or recovering with a wrecker, tow truck,  
27 rollback or car carrier any vehicle not owned by the operator of  
28 the wrecker, tow truck, rollback or car carrier for which the

1 operator directly or indirectly receives compensation or other  
2 personal gain.

3 301.031. Notwithstanding the twenty-five mile operations  
4 limit imposed in [subdivision (24) of] section 301.010 upon local  
5 commercial motor vehicles, a local commercial motor vehicle  
6 licensed for forty-eight thousand pounds gross weight and above  
7 may be used to haul solid waste as defined in section 260.200 up  
8 to sixty miles from the municipality in which its operations are  
9 otherwise confined and still be eligible to register as a local  
10 commercial motor vehicle.

11 301.227. 1. Whenever a vehicle is sold for salvage,  
12 dismantling or rebuilding, the purchaser shall forward to the  
13 director of revenue within ten days the certificate of ownership  
14 or salvage certificate of title and the proper application and  
15 fee of eight dollars and fifty cents, and the director shall  
16 issue a negotiable salvage certificate of title to the purchaser  
17 of the salvaged vehicle. On vehicles purchased during a year  
18 that is no more than six years after the manufacturer's model  
19 year designation for such vehicle, it shall be mandatory that the  
20 purchaser apply for a salvage title. On vehicles purchased  
21 during a year that is more than six years after the  
22 manufacturer's model year designation for such vehicle, then  
23 application for a salvage title shall be optional on the part of  
24 the purchaser. Whenever a vehicle is sold for destruction and a  
25 salvage certificate of title, junking certificate, or certificate  
26 of ownership exists, the seller, if licensed under sections  
27 301.217 to 301.221, shall forward the certificate to the director  
28 of revenue within ten days, with the notation of the date sold

1 for destruction and the name of the purchaser clearly shown on  
2 the face of the certificate.

3 2. Whenever a vehicle is classified as "junk", as defined  
4 in section 301.010, the purchaser may forward to the director of  
5 revenue a properly completed application for a junking  
6 certificate as well as the salvage certificate of title or  
7 certificate of ownership and the director shall issue a  
8 negotiable junking certificate to the purchaser of the vehicle.  
9 The director may also issue a junking certificate to a possessor  
10 of a vehicle manufactured twenty-six years or more prior to the  
11 current model year who has a bill of sale for said vehicle but  
12 does not possess a certificate of ownership, provided no claim of  
13 theft has been made on the vehicle and the highway patrol has by  
14 letter stated the vehicle is not listed as stolen after checking  
15 the registration number through its nationwide computer system.  
16 Such junking certificate may be granted within thirty days of the  
17 submission of a request. A junking certificate shall authorize  
18 the holder to possess, transport, or, by assignment, transfer  
19 ownership in such parts, scrap, or junk.

20 3. For any vehicle issued a junking certificate or such  
21 similar document or classification pursuant to the laws of  
22 another state, regardless of whether such designation has been  
23 subsequently changed by law in any other state, the department  
24 shall only issue a junking certificate, and a salvage certificate  
25 of title or original certificate of ownership shall not  
26 thereafter be issued for such vehicle. Notwithstanding the  
27 provisions of this subsection, if the vehicle has not previously  
28 been classified as a junk vehicle, the applicant making the



1 original junking certification application shall, within ninety  
2 days, be allowed to rescind his application for a junking  
3 certificate by surrendering the junking certificate and apply for  
4 a salvage certificate of title in his name. The seller of a  
5 vehicle for which a junking certificate has been applied for or  
6 issued shall disclose such fact in writing to any prospective  
7 buyers before sale of such vehicle; otherwise the sale shall be  
8 voidable at the option of the buyer.

9 4. No scrap metal operator shall acquire or purchase a  
10 motor vehicle or parts thereof without, at the time of such  
11 acquisition, receiving the original certificate of ownership or  
12 salvage certificate of title or junking certificate from the  
13 seller of the vehicle or parts, unless the seller is a licensee  
14 under sections 301.219 to 301.221.

15 5. All titles and certificates required to be received by  
16 scrap metal operators from nonlicensees shall be forwarded by the  
17 operator to the director of revenue within ten days of the  
18 receipt of the vehicle or parts.

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

24 7. Notwithstanding any other provision of this section, a  
25 motor vehicle dealer as defined in section 301.550 and licensed  
26 under the provisions of sections 301.550 to 301.572 may negotiate  
27 one reassignment of a salvage certificate of title on the back  
28 thereof.

1           8. Notwithstanding the provisions of subsection 1 of this  
2 section, an insurance company which settles a claim for a stolen  
3 vehicle may apply for and shall be issued a negotiable salvage  
4 certificate of title without the payment of any fee upon proper  
5 application within thirty days after settlement of the claim for  
6 such stolen vehicle. However, if the insurance company upon  
7 recovery of a stolen vehicle determines that the stolen vehicle  
8 has not sustained damage to the extent that the vehicle would  
9 have otherwise been declared a salvage vehicle pursuant to  
10 [subdivision (51) of] section 301.010, then the insurance company  
11 may have the vehicle inspected by the Missouri state highway  
12 patrol, or other law enforcement agency authorized by the  
13 director of revenue, in accordance with the inspection provisions  
14 of subsection 9 of section 301.190. Upon receipt of title  
15 application, applicable fee, the completed inspection, and the  
16 return of any previously issued negotiable salvage certificate,  
17 the director shall issue an original title with no salvage or  
18 prior salvage designation. Upon the issuance of an original  
19 title the director shall remove any indication of the negotiable  
20 salvage title previously issued to the insurance company from the  
21 department's electronic records.

22           9. Notwithstanding subsection 4 of this section or any  
23 other provision of the law to the contrary, if a motor vehicle is  
24 inoperable and is at least ten model years old, or the parts are  
25 from a motor vehicle that is inoperable and is at least ten model  
26 years old, a scrap metal operator may purchase or acquire such  
27 motor vehicle or parts without receiving the original certificate  
28 of ownership, salvage certificate of title, or junking

1 certificate from the seller of the vehicle or parts, provided the  
2 scrap metal operator verifies with the department of revenue, via  
3 the department's online record access, that the motor vehicle is  
4 not subject to any recorded security interest or lien and the  
5 scrap metal operator complies with the requirements of this  
6 subsection. In lieu of forwarding certificates of title or  
7 ownership for such motor vehicles as required by subsection 5 of  
8 this section, the scrap metal operator shall forward a copy of  
9 the seller's state identification card along with a bill of sale  
10 to the department of revenue. The bill of sale form shall be  
11 designed by the director and such form shall include, but not be  
12 limited to, a certification that the motor vehicle is at least  
13 ten model years old, is inoperable, is not subject to any  
14 recorded security interest or lien, and a certification by the  
15 seller that the seller has the legal authority to sell or  
16 otherwise transfer the seller's interest in the motor vehicle or  
17 parts. Upon receipt of the information required by this  
18 subsection, the department of revenue shall cancel any  
19 certificate of title or ownership and registration for the motor  
20 vehicle. If the motor vehicle is inoperable and at least twenty  
21 model years old, then the scrap metal operator shall not be  
22 required to verify with the department of revenue whether the  
23 motor vehicle is subject to any recorded security interests or  
24 liens. As used in this subsection, the term "inoperable" means a  
25 motor vehicle that is in a rusted, wrecked, discarded, worn out,  
26 extensively damaged, dismantled, and mechanically inoperative  
27 condition and the vehicle's highest and best use is for scrap  
28 purposes. The director of the department of revenue is directed

1 to promulgate rules and regulations to implement and administer  
2 the provisions of this section, including but not limited to, the  
3 development of a uniform bill of sale. Any rule or portion of a  
4 rule, as that term is defined in section 536.010, that is created  
5 under the authority delegated in this section shall become  
6 effective only if it complies with and is subject to all of the  
7 provisions of chapter 536 and, if applicable, section 536.028.  
8 This section and chapter 536 are nonseverable and if any of the  
9 powers vested with the general assembly pursuant to chapter 536  
10 to review, to delay the effective date, or to disapprove and  
11 annul a rule are subsequently held unconstitutional, then the  
12 grant of rulemaking authority and any rule proposed or adopted  
13 after August 28, 2012, shall be invalid and void.

14 301.550. 1. The definitions contained in section 301.010  
15 shall apply to sections 301.550 to 301.573, and in addition as  
16 used in sections 301.550 to 301.573, the following terms mean:

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

1 while licensed as a boat dealer pursuant to sections 301.550 to  
2 301.573;

3 (2) "Boat manufacturer", any person engaged in the  
4 manufacturing, assembling or modification of new vessels or  
5 vessel trailers as a regular business, including a person,  
6 partnership or corporation which acts for and is under the  
7 control of a manufacturer or assembly in connection with the  
8 distribution of vessels or vessel trailers;

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

10 (4) "Director", the director of the Missouri department of  
11 revenue;

12 (5) "Emergency vehicles", motor vehicles used as  
13 ambulances, law enforcement vehicles, and fire fighting and  
14 assistance vehicles;

15 (6) "Manufacturer", any person engaged in the  
16 manufacturing, assembling or modification of new motor vehicles  
17 or trailers as a regular business, including a person,  
18 partnership or corporation which acts for and is under the  
19 control of a manufacturer or assembly in connection with the  
20 distribution of motor vehicles or accessories for motor vehicles;

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

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

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

1 (c) The owner of the vehicle involved in the transaction;  
2 or

3 (d) A public motor vehicle auction or wholesale motor  
4 vehicle auction where buyers are licensed dealers in this or any  
5 other jurisdiction;

6 (8) "Motor vehicle dealer" or "dealer", any person who, for  
7 commission or with an intent to make a profit or gain of money or  
8 other thing of value, sells, barter, exchanges, leases or rents  
9 with the option to purchase, or who offers or attempts to sell or  
10 negotiates the sale of motor vehicles or trailers whether or not  
11 the motor vehicles or trailers are owned by such person;  
12 provided, however, an individual auctioneer or auction conducted  
13 by an auctioneer licensed pursuant to chapter 343 shall not be  
14 included within the definition of a motor vehicle dealer. The  
15 sale of six or more motor vehicles or trailers in any calendar  
16 year shall be required as evidence that such person is engaged in  
17 the motor vehicle business and is eligible for licensure as a  
18 motor vehicle dealer under sections 301.550 to 301.573. Any  
19 motor vehicle dealer licensed before August 28, 2007, shall be  
20 required to meet the minimum calendar year sales of six or more  
21 motor vehicles provided the dealer can prove the business  
22 achieved, cumulatively, six or more sales per year for the  
23 preceding twenty-four months in business; or if the dealer has  
24 not been in business for twenty-four months, the cumulative  
25 equivalent of one sale every two months for the months the dealer  
26 has been in business before August 28, 2007. Any licensed motor  
27 vehicle dealer failing to meet the minimum vehicle sales  
28 requirements as referenced in this subsection shall not be

1 qualified to renew his or her license for one year. Applicants  
2 who reapply after the one-year period shall meet the requirement  
3 of six sales per year;

4 (9) "New motor vehicle", any motor vehicle being  
5 transferred for the first time from a manufacturer, distributor  
6 or new vehicle dealer which has not been registered or titled in  
7 this state or any other state and which is offered for sale,  
8 barter or exchange by a dealer who is franchised to sell, barter  
9 or exchange that particular make of motor vehicle. The term "new  
10 motor vehicle" shall not include manufactured homes, as defined  
11 in section 700.010;

12 (10) "New motor vehicle franchise dealer", any motor  
13 vehicle dealer who has been franchised to deal in a certain make  
14 of motor vehicle by the manufacturer or distributor of that make  
15 and motor vehicle and who may, in line with conducting his  
16 business as a franchise dealer, sell, barter or exchange used  
17 motor vehicles;

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

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

26 (13) "Public motor vehicle auction", any person, firm or  
27 corporation who takes possession of a motor vehicle whether by  
28 consignment, bailment or any other arrangement, except by title,

1 for the purpose of selling motor vehicles at a public auction by  
2 a licensed auctioneer;

3 (14) "Recreational motor vehicle dealer", a dealer of new  
4 or used motor vehicles designed, constructed or substantially  
5 modified for use as temporary housing quarters, including  
6 sleeping and eating facilities which are either permanently  
7 attached to the motor vehicle or attached to a unit which is  
8 securely attached to the motor vehicle;

9 (15) "Storage lot", an area within the same city or county  
10 where a dealer may store excess vehicle inventory;

11 (16) "Trailer dealer", any person selling, either  
12 exclusively or otherwise, trailers as defined in [subdivision  
13 (60) of] section 301.010. A trailer dealer may acquire a motor  
14 vehicle for resale only as a trade-in for a trailer.  
15 Notwithstanding the provisions of [subdivision (11) of] section  
16 301.010 and section 301.069, trailer dealers may purchase one  
17 driveaway license plate to display such motor vehicle for  
18 demonstration purposes. The sale of six or more trailers in any  
19 calendar year shall be required as evidence that such person is  
20 engaged in the trailer business and is eligible for licensure as  
21 a trailer dealer under sections 301.550 to 301.573. Any trailer  
22 dealer licensed before August 28, 2007, shall be required to meet  
23 the minimum calendar year sales of six or more trailers provided  
24 the dealer can prove the business achieved, cumulatively, six or  
25 more sales per year for the preceding twenty-four months in  
26 business; or if the dealer has not been in business for twenty-  
27 four months, the cumulative equivalent of one sale every two  
28 months for the months the dealer has been in business before



1 August 28, 2007. Any licensed trailer dealer failing to meet the  
2 minimum trailer and vehicle sales requirements as referenced in  
3 this subsection shall not be qualified to renew his or her  
4 license for one year. Applicants who reapply after the one-year  
5 period shall meet the requirement of six sales per year;

6 (17) "Used motor vehicle", any motor vehicle which is not a  
7 new motor vehicle, as defined in sections 301.550 to 301.573, and  
8 which has been sold, bartered, exchanged or given away or which  
9 may have had a title issued in this state or any other state, or  
10 a motor vehicle so used as to be what is commonly known as a  
11 secondhand motor vehicle. In the event of an assignment of the  
12 statement of origin from an original franchise dealer to any  
13 individual or other motor vehicle dealer other than a new motor  
14 vehicle franchise dealer of the same make, the vehicle so  
15 assigned shall be deemed to be a used motor vehicle and a  
16 certificate of ownership shall be obtained in the assignee's  
17 name. The term "used motor vehicle" shall not include  
18 manufactured homes, as defined in section 700.010;

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

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

23 (20) "Vessel trailer", any trailer, as defined by section  
24 301.010 which is designed and manufactured for the purposes of  
25 transporting vessels;

26 (21) "Wholesale motor vehicle auction", any person, firm or  
27 corporation in the business of providing auction services solely  
28 in wholesale transactions at its established place of business in

1 which the purchasers are motor vehicle dealers licensed by this  
2 or any other jurisdiction, and which neither buys, sells nor owns  
3 the motor vehicles it auctions in the ordinary course of its  
4 business. Except as required by law with regard to the auction  
5 sale of a government-owned motor vehicle, a wholesale motor  
6 vehicle auction shall not provide auction services in connection  
7 with the retail sale of a motor vehicle;

8 (22) "Wholesale motor vehicle dealer", a motor vehicle  
9 dealer who sells motor vehicles only to other new motor vehicle  
10 franchise dealers or used motor vehicle dealers or via auctions  
11 limited to other dealers of any class.

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

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

- 16 (1) Boat dealers;
- 17 (2) Franchised new motor vehicle dealers;
- 18 (3) Used motor vehicle dealers;
- 19 (4) Wholesale motor vehicle dealers;
- 20 (5) Recreational motor vehicle dealers;
- 21 (6) Historic motor vehicle dealers;
- 22 (7) Classic motor vehicle dealers;
- 23 (8) Powersport dealers; and
- 24 (9) Trailer dealers.

25 304.005. 1. As used in this section, the term "autocycle"  
26 means a three-wheeled motor vehicle [on] which the drivers and  
27 passengers ride in a partially or completely enclosed, [tandem]  
28 non-straddle seating area [that is equipped with air bag

1 protection, a roll cage, safety belts for each occupant, and  
2 antilock brakes and] that is designed to be controlled with a  
3 steering wheel and pedals, and has met applicable Department of  
4 Transportation National Highway Traffic Safety Administration  
5 requirements or Federal Motorcycle Safety Standards.

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

11 3. No person shall operate an autocycle on any highway or  
12 street in this state unless the person has a valid driver's  
13 license. The operator of an autocycle, however, shall not be  
14 required to obtain a motorcycle or motortricycle license or  
15 endorsement pursuant to sections 302.010 to 302.340.

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

27 2. Upon approaching a stationary [emergency] vehicle  
28 displaying lighted red or red and blue lights, or a stationary

1 vehicle [owned by the state highways and transportation  
2 commission and operated by an authorized employee of the  
3 department of transportation or a stationary vehicle owned by a  
4 contractor or subcontractor performing work for the department of  
5 transportation] displaying lighted amber or amber and white  
6 lights, the driver of every motor vehicle shall:

7 (1) Proceed with caution and yield the right-of-way, if  
8 possible with due regard to safety and traffic conditions, by  
9 making a lane change into a lane not adjacent to that of the  
10 stationary vehicle, if on a roadway having at least four lanes  
11 with not less than two lanes proceeding in the same direction as  
12 the approaching vehicle; or

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

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

20 4. An "emergency vehicle" is a vehicle of any of the  
21 following types:

22 (1) A vehicle operated by the state highway patrol, the  
23 state water patrol, the Missouri capitol police, a conservation  
24 agent, or a state park ranger, those vehicles operated by  
25 enforcement personnel of the state highways and transportation  
26 commission, police or fire department, sheriff, constable or  
27 deputy sheriff, federal law enforcement officer authorized to  
28 carry firearms and to make arrests for violations of the laws of

1 the United States, traffic officer or coroner or by a privately  
2 owned emergency vehicle company;

3 (2) A vehicle operated as an ambulance or operated  
4 commercially for the purpose of transporting emergency medical  
5 supplies or organs;

6 (3) Any vehicle qualifying as an emergency vehicle pursuant  
7 to section 307.175;

8 (4) Any wrecker, or tow truck or a vehicle owned and  
9 operated by a public utility or public service corporation while  
10 performing emergency service;

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

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

16 (7) Any vehicle operated by an authorized employee of the  
17 department of corrections who, as part of the employee's official  
18 duties, is responding to a riot, disturbance, hostage incident,  
19 escape or other critical situation where there is the threat of  
20 serious physical injury or death, responding to mutual aid call  
21 from another criminal justice agency, or in accompanying an  
22 ambulance which is transporting an offender to a medical  
23 facility;

24 (8) Any vehicle designated to perform hazardous substance  
25 emergency functions established pursuant to the provisions of  
26 sections 260.500 to 260.550; or

27 (9) Any vehicle owned by the state highways and  
28 transportation commission and operated by an authorized employee

1 of the department of transportation that is marked as a  
2 department of transportation emergency response or motorist  
3 assistance vehicle.

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

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

11 (a) Park or stand irrespective of the provisions of  
12 sections 304.014 to 304.025;

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

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

17 (d) Disregard regulations governing direction of movement  
18 or turning in specified directions.

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

27 6. No person shall purchase an emergency light as described  
28 in this section without furnishing the seller of such light an

1 affidavit stating that the light will be used exclusively for  
2 emergency vehicle purposes.

3 7. Violation of this section shall be deemed a class A  
4 misdemeanor.

5 304.170. 1. No vehicle operated upon the highways of this  
6 state shall have a width, including load, in excess of one  
7 hundred two inches, except clearance lights, rearview mirrors or  
8 other accessories required by federal, state or city law or  
9 regulation. Provided however, a recreational vehicle as defined  
10 in section 700.010 may exceed the foregoing width limits if the  
11 appurtenances on such recreational vehicle extend no further than  
12 the rearview mirrors. Such mirrors may only extend the distance  
13 necessary to provide the required field of view before the  
14 appurtenances were attached.

15 2. No vehicle operated upon the interstate highway system  
16 or upon any route designated by the [chief engineer of the state  
17 transportation department] state highways and transportation  
18 commission shall have a height, including load, in excess of  
19 fourteen feet. On all other highways, no vehicle shall have a  
20 height, including load, in excess of thirteen and one-half feet,  
21 except that any vehicle or combination of vehicles transporting  
22 automobiles or other motor vehicles may have a height, including  
23 load, of not more than fourteen feet.

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

27 4. No bus, recreational motor vehicle or trackless trolley  
28 coach operated upon the highways of this state shall have a

1 length in excess of forty-five feet, except that such vehicles  
2 may exceed the forty-five feet length when such excess length is  
3 caused by the projection of a front safety bumper or a rear  
4 safety bumper or both. Such safety bumper shall not cause the  
5 length of the bus or recreational motor vehicle to exceed the  
6 forty-five feet length limit by more than one foot in the front  
7 and one foot in the rear. Notwithstanding any provision of this  
8 section to the contrary, an articulated bus, comprised of two or  
9 more sections connected by a flexible joint or other mechanism,  
10 may be up to sixty feet in length, not including safety bumpers  
11 which may extend one foot in front and one foot in the rear, and  
12 not including bicycle storage racks which may extend over the  
13 safety bumper by up to five feet when in the down position  
14 transporting a bicycle. The term "safety bumper" means any  
15 device which may be fitted on an existing bumper or which  
16 replaces the bumper and is so constructed, treated, or  
17 manufactured that it absorbs energy upon impact.

18 5. No combination of truck-tractor and semitrailer or  
19 truck-tractor equipped with dromedary and semitrailer operated  
20 upon the highways of this state shall have a length, including  
21 load, in excess of sixty feet; except that in order to comply  
22 with the provisions of Pub. L. 97-424 codified in Title 23 of  
23 the United States Code [(Public Law 97-424)] (23 U.S.C. Section  
24 101 et al.), as amended, no combination of truck-tractor and  
25 semitrailer or truck-tractor equipped with dromedary and  
26 semitrailer operated upon the interstate highway system of this  
27 state shall have an overall length, including load, in excess of  
28 the length of the truck-tractor plus the semitrailer or truck-



1 tractor equipped with dromedary and semitrailer. The length of  
2 such semitrailer shall not exceed fifty-three feet.

3 6. In order to comply with the provisions of Pub. L. 97-424  
4 codified in Title 23 of the United States Code [(Public Law 97-  
5 424)] (23 U.S.C. Section 101 et al.), as amended, no combination  
6 of truck-tractor, semitrailer and trailer operated upon the  
7 interstate highway system of this state shall have an overall  
8 length, including load, in excess of the length of the truck-  
9 tractor plus the semitrailer and trailer, neither of which  
10 semitrailer or trailer shall exceed twenty-eight feet in length,  
11 except that any existing semitrailer or trailer up to twenty-  
12 eight and one-half feet in length actually and lawfully operated  
13 on December 1, 1982, within a sixty-five foot overall length  
14 limit in any state, may continue to be operated upon the  
15 interstate highways of this state. On those primary highways not  
16 designated by the state highways and transportation commission as  
17 provided in subsection [10] 11 of this section, no combination of  
18 truck-tractor, semitrailer and trailer shall have an overall  
19 length, including load, in excess of sixty-five feet; provided,  
20 however, the [state highways and transportation] commission may  
21 designate additional routes for such sixty-five foot  
22 combinations.

23 7. Automobile transporters, boat transporters, truck-  
24 trailer boat transporter combinations, [stinger-steered  
25 combination automobile transporters] and stinger-steered  
26 combination boat transporters having a length not in excess of  
27 seventy-five feet may be operated on the interstate highways of  
28 this state and such other highways as may be designated by the

1 [highways and transportation] commission for the operation of  
2 such vehicles plus a distance not to exceed ten miles from such  
3 interstate or designated highway. All length provisions  
4 regarding automobile or boat transporters, truck-trailer boat  
5 transporter combinations and stinger-steered [combinations]  
6 combination boat transporters shall include a semitrailer length  
7 not to exceed fifty-three feet and are exclusive of front and  
8 rear overhang, which shall be no greater than a three-foot front  
9 overhang and no greater than a four-foot rear overhang.

10 (1) Stinger-steered combination automobile transporters  
11 having a length not in excess of eighty feet may be operated on  
12 the interstate highways of this state and such other highways as  
13 may be designated by the commission for the operation of such  
14 vehicles plus a distance not to exceed ten miles from such  
15 interstate or designated highway. All length provisions  
16 regarding stinger-steered automobile combination transporters are  
17 exclusive of front and rear overhang, which shall be no greater  
18 than a four-foot front overhang and no greater than a six-foot  
19 rear overhang.

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

24 8. Driveaway saddlemount combinations having a length not  
25 in excess of ninety-seven feet may be operated on the interstate  
26 highways of this state and such other highways as may be  
27 designated by the [highways and transportation] commission for  
28 the operation of such vehicles plus a distance not to exceed ten

1 miles from such interstate or designated highway. Saddlemount  
2 combinations must comply with the safety requirements of Section  
3 393.71 of Title 49 of the Code of Federal Regulations and may  
4 contain no more than three saddlemounted vehicles and one  
5 fullmount.

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

18 10. No towaway trailer transporter combination vehicles  
19 operated upon the interstate and designated primary highway  
20 system of this state shall have an overall length of more than  
21 eighty-two feet.

22 11. The [highways and transportation] commission is  
23 authorized to designate routes on the state highway system other  
24 than the interstate system over which those combinations of  
25 vehicles of the lengths specified in subsections 5, 6, 7, 8, and  
26 [and] 9, and 10 of this section may be operated. Combinations of  
27 vehicles operated under the provisions of subsections 5, 6, 7, 8, and  
28 [and] 9, and 10 of this section may be operated at a distance not

1 to exceed ten miles from the interstate system and such routes as  
2 designated under the provisions of this subsection.

3 [11.] 12. Except as provided in subsections 5, 6, 7, 8, 9,  
4 [and] 10, and 11 of this section, no other combination of  
5 vehicles operated upon the primary or interstate highways of this  
6 state plus a distance of ten miles from a primary or interstate  
7 highway shall have an overall length, unladen or with load, in  
8 excess of sixty-five feet or in excess of fifty-five feet on any  
9 other highway[, except the state highways and transportation  
10 commission may designate additional routes for use by sixty-five  
11 foot combinations, seventy-five foot stinger-steered or seventy-  
12 five foot saddlemount combinations. Any vehicle or combination  
13 of vehicles transporting automobiles, boats or other motor  
14 vehicles may carry a load which extends no more than three feet  
15 beyond the front and four feet beyond the rear of the  
16 transporting vehicle or combination of vehicles].

17 [12.] 13. (1) Except as hereinafter provided, these  
18 restrictions shall not apply to agricultural implements operating  
19 occasionally on the highways for short distances including  
20 tractor parades for fund-raising activities or special events,  
21 provided the tractors are driven by licensed drivers during  
22 daylight hours only and with the approval of the superintendent  
23 of the Missouri state highway patrol; or to self-propelled hay-  
24 hauling equipment or to implements of husbandry, or to the  
25 movement of farm products as defined in section 400.9-102 or to  
26 vehicles temporarily transporting agricultural implements or  
27 implements of husbandry or road-making machinery, or road  
28 materials or towing for repair purposes vehicles that have become

1 disabled upon the highways; or to implement dealers delivering or  
2 moving farm machinery for repairs on any state highway other than  
3 the interstate system.

4 (2) Implements of husbandry and vehicles transporting such  
5 machinery or equipment and the movement of farm products as  
6 defined in section 400.9-102 may be operated occasionally for  
7 short distances on state highways when operated between the hours  
8 of sunrise and sunset by a driver licensed as an operator or  
9 chauffeur.

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

15 [13.] 14. As used in this chapter the term "implements of  
16 husbandry" means all self-propelled machinery operated at speeds  
17 of less than thirty miles per hour, specifically designed for, or  
18 especially adapted to be capable of, incidental over-the-road and  
19 primary offroad usage and used exclusively for the application of  
20 commercial plant food materials or agricultural chemicals, and  
21 not specifically designed or intended for transportation of such  
22 chemicals and materials.

23 [14.] 15. Sludge disposal units may be operated on all  
24 state highways other than the interstate system. Such units  
25 shall not exceed one hundred thirty-eight inches in width and may  
26 be equipped with over-width tires. Such units shall observe all  
27 axle weight limits. The [chief engineer of the state  
28 transportation department] commission shall issue special permits

1 for the movement of such disposal units and may by such permits  
2 restrict the movements to specified routes, days and hours.

3 304.180. 1. No vehicle or combination of vehicles shall be  
4 moved or operated on any highway in this state having a greater  
5 weight than twenty thousand pounds on one axle, no combination of  
6 vehicles operated by transporters of general freight over regular  
7 routes as defined in section 390.020 shall be moved or operated  
8 on any highway of this state having a greater weight than the  
9 vehicle manufacturer's rating on a steering axle with the maximum  
10 weight not to exceed twelve thousand pounds on a steering axle,  
11 and no vehicle shall be moved or operated on any state highway of  
12 this state having a greater weight than thirty-four thousand  
13 pounds on any tandem axle; the term "tandem axle" shall mean a  
14 group of two or more axles, arranged one behind another, the  
15 distance between the extremes of which is more than forty inches  
16 and not more than ninety-six inches apart.

17 2. An "axle load" is defined as the total load transmitted  
18 to the road by all wheels whose centers are included between two  
19 parallel transverse vertical planes forty inches apart, extending  
20 across the full width of the vehicle.

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

27 Distance in feet between the extremes  
28 of any group of two or more consecutive

1 axles, measured to the nearest foot,  
 2 except where indicated otherwise

3 Maximum load in pounds

4	feet	2 axles	3 axles	4 axles	5 axles	6 axles
5	4	34,000				
6	5	34,000				
7	6	34,000				
8	7	34,000				
9	8	34,000	34,000			
10	More than 8	38,000	42,000			
11	9	39,000	42,500			
12	10	40,000	43,500			
13	11	40,000	44,000			
14	12	40,000	45,000	50,000		
15	13	40,000	45,500	50,500		
16	14	40,000	46,500	51,500		
17	15	40,000	47,000	52,000		
18	16	40,000	48,000	52,500	58,000	
19	17	40,000	48,500	53,500	58,500	
20	18	40,000	49,500	54,000	59,000	
21	19	40,000	50,000	54,500	60,000	
22	20	40,000	51,000	55,500	60,500	66,000
23	21	40,000	51,500	56,000	61,000	66,500
24	22	40,000	52,500	56,500	61,500	67,000
25	23	40,000	53,000	57,500	62,500	68,000
26	24	40,000	54,000	58,000	63,000	68,500
27	25	40,000	54,500	58,500	63,500	69,000
28	26	40,000	55,500	59,500	64,000	69,500

1	27	40,000	56,000	60,000	65,000	70,000
2	28	40,000	57,000	60,500	65,500	71,000
3	29	40,000	57,500	61,500	66,000	71,500
4	30	40,000	58,500	62,000	66,500	72,000
5	31	40,000	59,000	62,500	67,500	72,500
6	32	40,000	60,000	63,500	68,000	73,000
7	33	40,000	60,000	64,000	68,500	74,000
8	34	40,000	60,000	64,500	69,000	74,500
9	35	40,000	60,000	65,500	70,000	75,000
10	36		60,000	66,000	70,500	75,500
11	37		60,000	66,500	71,000	76,000
12	38		60,000	67,500	72,000	77,000
13	39		60,000	68,000	72,500	77,500
14	40		60,000	68,500	73,000	78,000
15	41		60,000	69,500	73,500	78,500
16	42		60,000	70,000	74,000	79,000
17	43		60,000	70,500	75,000	80,000
18	44		60,000	71,500	75,500	80,000
19	45		60,000	72,000	76,000	80,000
20	46		60,000	72,500	76,500	80,000
21	47		60,000	73,500	77,500	80,000
22	48		60,000	74,000	78,000	80,000
23	49		60,000	74,500	78,500	80,000
24	50		60,000	75,500	79,000	80,000
25	51		60,000	76,000	80,000	80,000
26	52		60,000	76,500	80,000	80,000
27	53		60,000	77,500	80,000	80,000
28	54		60,000	78,000	80,000	80,000



1	55	60,000	78,500	80,000	80,000
2	56	60,000	79,500	80,000	80,000
3	57	60,000	80,000	80,000	80,000

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

8 4. Whenever the state highways and transportation  
9 commission finds that any state highway bridge in the state is in  
10 such a condition that use of such bridge by vehicles of the  
11 weights specified in subsection 3 of this section will endanger  
12 the bridge, or the users of the bridge, the commission may  
13 establish maximum weight limits and speed limits for vehicles  
14 using such bridge. The governing body of any city or county may  
15 grant authority by act or ordinance to the [state highways and  
16 transportation] commission to enact the limitations established  
17 in this section on those roadways within the purview of such city  
18 or county. Notice of the weight limits and speed limits  
19 established by the commission shall be given by posting signs at  
20 a conspicuous place at each end of any such bridge.

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

27 6. Notwithstanding the weight limitations contained in this  
28 section, any vehicle or combination of vehicles operating on

1 highways other than the interstate highway system may exceed  
2 single axle, tandem axle and gross weight limitations in an  
3 amount not to exceed two thousand pounds. However, total gross  
4 weight shall not exceed eighty thousand pounds, except as  
5 provided in subsections 9, [and] 10, 12, and 13 of this section.

6 7. Notwithstanding any provision of this section to the  
7 contrary, the [department of transportation] commission shall  
8 issue a single-use special permit, or upon request of the owner  
9 of the truck or equipment, shall issue an annual permit, for the  
10 transporting of any concrete pump truck or well-drillers'  
11 equipment. The [department of transportation] commission shall  
12 set fees for the issuance of permits pursuant to this subsection.  
13 Notwithstanding the provisions of section 301.133, concrete pump  
14 trucks or well-drillers' equipment may be operated on state-  
15 maintained roads and highways at any time on any day.

16 8. Notwithstanding the provision of this section to the  
17 contrary, the maximum gross vehicle limit and axle weight limit  
18 for any vehicle or combination of vehicles equipped with an idle  
19 reduction technology may be increased by a quantity necessary to  
20 compensate for the additional weight of the idle reduction system  
21 as provided for in 23 U.S.C. Section 127, as amended. In no case  
22 shall the additional weight increase allowed by this subsection  
23 be greater than five hundred fifty pounds. Upon request by an  
24 appropriate law enforcement officer, the vehicle operator shall  
25 provide proof that the idle reduction technology is fully  
26 functional at all times and that the gross weight increase is not  
27 used for any purpose other than for the use of idle reduction  
28 technology.

1           9. Notwithstanding any provision of this section or any  
2 other law to the contrary, the total gross weight of any vehicle  
3 or combination of vehicles hauling milk, from a farm to a  
4 processing facility or livestock may be as much as, but shall not  
5 exceed, eighty-five thousand five hundred pounds while operating  
6 on highways other than the interstate highway system. The  
7 provisions of this subsection shall not apply to vehicles  
8 operated and operating on the Dwight D. Eisenhower System of  
9 Interstate and Defense Highways.

10           10. Notwithstanding any provision of this section or any  
11 other law to the contrary, any vehicle or combination of vehicles  
12 hauling grain or grain coproducts during times of harvest may be  
13 as much as, but not exceeding, ten percent over the maximum  
14 weight limitation allowable under subsection 3 of this section  
15 while operating on highways other than the interstate highway  
16 system. The provisions of this subsection shall not apply to  
17 vehicles operated and operating on the Dwight D. Eisenhower  
18 System of Interstate and Defense Highways.

19           11. Notwithstanding any provision of this section or any  
20 other law to the contrary, the [department of transportation]  
21 commission shall issue emergency utility response permits for the  
22 transporting of utility wires or cables, poles, and equipment  
23 needed for repair work immediately following a disaster where  
24 utility service has been disrupted. Under exigent circumstances,  
25 verbal approval of such operation may be made either by the  
26 department of transportation motor carrier compliance supervisor  
27 or other designated motor carrier services representative.  
28 Utility vehicles and equipment used to assist utility companies

1 granted special permits under this subsection may be operated and  
2 transported on state-maintained roads and highways at any time on  
3 any day. The [department of transportation] commission shall  
4 promulgate all necessary rules and regulations for the  
5 administration of this section. Any rule or portion of a rule,  
6 as that term is defined in section 536.010, that is created under  
7 the authority delegated in this section shall become effective  
8 only if it complies with and is subject to all of the provisions  
9 of chapter 536 and, if applicable, section 536.028. This section  
10 and chapter 536 are nonseverable and if any of the powers vested  
11 with the general assembly pursuant to chapter 536 to review, to  
12 delay the effective date, or to disapprove and annul a rule are  
13 subsequently held unconstitutional, then the grant of rulemaking  
14 authority and any rule proposed or adopted after August 28, 2014,  
15 shall be invalid and void.

16 12. Notwithstanding any provision of this section,  
17 emergency vehicles designed to be used under emergency conditions  
18 to transport personnel and equipment and to mitigate hazardous  
19 situations may have a maximum gross vehicle weight of eighty-six  
20 thousand pounds inclusive of twenty-four thousand pounds on a  
21 single steering axle; thirty-three thousand five hundred pounds  
22 on a single drive axle; sixty-two thousand pounds on a tandem  
23 axle; or fifty-two thousand pounds on a tandem rear drive steer  
24 axle.

25 13. Notwithstanding any provision of this section, a  
26 vehicle operated by an engine fueled primarily by natural gas may  
27 operate upon the public highways of this state in excess of the  
28 vehicle weight limits set forth in this section by an amount that

1 is equal to the difference between the weight of the vehicle  
2 attributable to the natural gas tank and fueling system carried  
3 by that vehicle and the weight of a comparable diesel tank and  
4 fueling system. In no event shall the maximum gross vehicle  
5 weight of the vehicle operating with a natural gas engine exceed  
6 eighty-two thousand pounds.

7 307.005. For purposes of this chapter, a lamp, light, or  
8 other piece of lighting equipment consisting of multiple light  
9 emitting diodes shall be deemed to be operating properly so long  
10 as not less than seventy-five percent of the light emitting  
11 diodes are operating properly.

12 307.175. 1. Motor vehicles and equipment which are  
13 operated by any member of an organized fire department, ambulance  
14 association, or rescue squad, whether paid or volunteer, may be  
15 operated on streets and highways in this state as an emergency  
16 vehicle under the provisions of section 304.022 while responding  
17 to a fire call or ambulance call or at the scene of a fire call  
18 or ambulance call and while using or sounding a warning siren and  
19 using or displaying thereon fixed, flashing or rotating blue  
20 lights, but sirens and blue lights shall be used only in bona  
21 fide emergencies.

22 2. [Motor vehicles and equipment owned by the state  
23 highways and transportation commission or contractor or  
24 subcontractor performing work for the department of  
25 transportation may use or display thereon fixed, flashing, or  
26 rotating amber or white lights, but amber or white lights shall  
27 be used only while such vehicle is stationary in a work zone, as  
28 defined in section 304.580, when highway workers, as defined in

1 section 304.580, are present.] (1) Notwithstanding subsection 1  
2 of this section, the following vehicles may use or display fixed,  
3 flashing, or rotating red or red and blue lights:

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

6 (b) Vehicles operated as described in subsection 1 of this  
7 section;

8 (c) Vehicles owned by a contractor or subcontractor  
9 performing work for the department of transportation, except that  
10 the red or red and blue lights shall be displayed on vehicles  
11 described in this paragraph only between dusk and dawn, when such  
12 vehicles are stationary, such vehicles are located in a work zone  
13 as defined in section 304.580, highway workers as defined in  
14 section 304.580 are present, and such work zone is designated by  
15 a sign or signs.

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

18 (a) Vehicles owned or leased by the state highways and  
19 transportation commission and operated by an authorized employee  
20 of the department of transportation;

21 (b) Vehicles owned by a contractor or subcontractor  
22 performing work for the department of transportation, except that  
23 the amber or amber and white lights shall be displayed on  
24 vehicles described in this paragraph only when such vehicles are  
25 stationary;

26 (c) Vehicles operated by a utility worker performing work  
27 for the utility, except that the amber or amber and white lights  
28 shall be displayed on vehicles described in this paragraph only

1 when such vehicles are stationary. As used in this paragraph,  
2 the term "utility worker" means any employee while in performance  
3 of his or her job duties, including any person employed under  
4 contract of a utility that provides gas, heat, electricity,  
5 water, steam, telecommunications or cable services, or sewer  
6 services, whether privately, municipally, or cooperatively owned.

7 3. Permits for the operation of such vehicles equipped with  
8 sirens or blue lights shall be in writing and shall be issued and  
9 may be revoked by the chief of an organized fire department,  
10 organized ambulance association, rescue squad, or the state  
11 highways and transportation commission and no person shall use or  
12 display a siren or blue lights on a motor vehicle, fire,  
13 ambulance, or rescue equipment without a valid permit authorizing  
14 the use. A permit to use a siren or lights as heretofore set out  
15 does not relieve the operator of the vehicle so equipped with  
16 complying with all other traffic laws and regulations. Violation  
17 of this section constitutes a class A misdemeanor.

18 407.816. 1. As used in subdivision (7) of section 407.815,  
19 the term "motor vehicle" shall not include "trailer" as such term  
20 is defined in [subdivision (60) of] section 301.010.

21 2. Prior to August 1, 2002, the provisions of section  
22 407.817, subdivisions (13), (17) and (18) of section 407.825 and  
23 section 407.826 shall not apply to recreational vehicle dealers  
24 or manufacturers.

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

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Jeanie Riddle

Bart Korman