

CONFERENCE COMMITTEE SUBSTITUTE

FOR

HOUSE COMMITTEE SUBSTITUTE

FOR

SENATE BILL NO. 225

AN ACT

To repeal sections 137.095, 226.520, 287.020, 287.040, 288.035, 301.010, 301.031, 301.227, 301.550, 302.441, 304.005, 304.022, 304.170, 304.180, 304.190, 304.725, and 407.816, RSMo, and to enact in lieu thereof eighteen new sections relating to transportation, with an existing penalty provision.

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

1           Section A. Sections 137.095, 226.520, 287.020, 287.040,  
2 288.035, 301.010, 301.031, 301.227, 301.550, 302.441, 304.005,  
3 304.022, 304.170, 304.180, 304.190, 304.725, and 407.816, RSMo,  
4 are repealed and eighteen new sections enacted in lieu thereof,  
5 to be known as sections 137.095, 226.520, 287.020, 287.040,  
6 288.035, 301.010, 301.031, 301.136, 301.227, 301.550, 302.441,  
7 304.005, 304.022, 304.170, 304.180, 304.190, 304.725, and  
8 407.816, to read as follows:

9           137.095. 1. The real and tangible personal property of all  
10 corporations operating in any county in the state of Missouri and  
11 in the City of St. Louis, and subject to assessment by county or  
12 township assessors, shall be assessed and taxed in the county in  
13 which the property is situated on the first day of January of the  
14 year for which the taxes are assessed, and every general or

1 business corporation having or owning tangible personal property  
2 on the first day of January in each year, which is situated in  
3 any other county than the one in which the corporation is  
4 located, shall make return to the assessor of the county or  
5 township where the property is situated, in the same manner as  
6 other tangible personal property is required by law to be  
7 returned, except that all motor vehicles which are the property  
8 of the corporation and which are subject to regulation under  
9 chapter 390 shall be assessed for tax purposes in the county in  
10 which the motor vehicles are based.

11 2. For the purposes of subsection 1 of this section, the  
12 term "based" means the place where the vehicle is most frequently  
13 dispatched, garaged, serviced, maintained, operated or otherwise  
14 controlled, except that leased passenger vehicles shall be  
15 assessed at the residence of the driver or, if the residence of  
16 the driver is unknown, at the location of the lessee.

17 3. The assessed valuation of any tractor or trailer as  
18 defined in section 301.010 owned by a corporation and used in  
19 [interstate] interjurisdictional commerce must be apportioned to  
20 Missouri based on the ratio of miles traveled in this state to  
21 miles traveled in [the United States in interstate]  
22 interjurisdictional commerce during the preceding tax year or on  
23 the basis of the most recent annual mileage figures available  
24 regardless of the state in which the International Registration  
25 Plan fleet under which such tractor or trailer operates or  
26 maintains its base jurisdiction. Where historical distance  
27 records are unavailable, the average per vehicle distance chart  
28 as described in section 320 of the International Registration

1 Plan and which is provided to counties by department of  
2 transportation carrier services, or any other reasonable source  
3 of distance data, may be used.

4 226.520. On and after March 30, 1972, no outdoor  
5 advertising shall be erected or maintained within six hundred  
6 sixty feet of the nearest edge of the right-of-way and visible  
7 from the main traveled way of any highway which is part of the  
8 federal-aid primary highways as of June 1, 1991, and all highways  
9 designated as part of the National Highway System by the National  
10 Highway System Designation Act of 1995 and those highways  
11 subsequently designated as part of the National Highway System in  
12 this state except the following:

13 (1) Directional and other official signs, including, but  
14 not limited to, signs pertaining to natural wonders, scenic,  
15 cultural (including agricultural activities or attractions),  
16 scientific, educational, religious sites, and historical  
17 attractions, which are required or authorized by law, and which  
18 comply with regulations which shall be promulgated by the  
19 department relative to their lighting, size, number, spacing and  
20 such other requirements as may be appropriate to implement  
21 sections 226.500 to 226.600, but such regulations shall not be  
22 inconsistent with, nor more restrictive than, such national  
23 standards as may be promulgated from time to time by the  
24 Secretary of the Department of Transportation of the United  
25 States, under subsection (c) of Section 131 of Title 23 of the  
26 United States Code, and two-year colleges shall qualify for  
27 substantially the same signs as traditional four-year colleges,  
28 irrespective of differences in student housing or types of

1 degrees offered;

2 (2) Signs, displays, and devices advertising activities  
3 conducted on the property upon which they are located, or  
4 services and products therein provided;

5 (3) Outdoor advertising located in areas which are zoned  
6 industrial, commercial or the like as provided in sections  
7 226.500 to 226.600 or under other authority of law;

8 (4) Outdoor advertising located in unzoned commercial or  
9 industrial areas as defined and determined pursuant to sections  
10 226.500 to 226.600;

11 (5) Outdoor advertising for tourist-oriented businesses,  
12 and scoreboards used in sporting events or other electronic signs  
13 with changeable messages which are not prohibited by federal  
14 regulations or local zoning ordinances. Outdoor advertising  
15 which is authorized by this subdivision (5) shall only be allowed  
16 to the extent that such outdoor advertising is not prohibited by  
17 Title 23, United States Code, Section 131, as now or thereafter  
18 amended, and lawful regulations promulgated thereunder. The  
19 general assembly finds and declares it to be the policy of the  
20 state of Missouri that the tourism industry is of major and  
21 critical importance to the economic well-being of the state and  
22 that directional signs, displays and devices providing  
23 directional information about goods and services in the interest  
24 of the traveling public are essential to the economic welfare of  
25 the tourism industry. The general assembly further finds and  
26 declares that the removal of directional signs advertising  
27 tourist-oriented businesses is harmful to the tourism industry in  
28 Missouri and that the removal of directional signs within or near

1 areas of the state where there is high concentration of  
2 tourist-oriented businesses would have a particularly harmful  
3 effect upon the economies within such areas. The state highways  
4 and transportation commission is authorized and directed to  
5 determine those specific areas of the state of Missouri in which  
6 there is high concentration of tourist-oriented businesses, and  
7 within such areas, no directional signs, displays and devices  
8 which are lawfully erected, which are maintained in good repair,  
9 which provide directional information about goods and services in  
10 the interest of the traveling public, and which would otherwise  
11 be required to be removed because they are not allowed to be  
12 maintained under the provisions of sections 226.500 through  
13 226.600 shall be required to be removed until such time as such  
14 removal has been finally ordered by the United States Secretary  
15 of Transportation;

16 (6) The provisions of this section shall not be construed  
17 to require removal of signs advertising churches or items of  
18 religious significance, items of native arts and crafts,  
19 woodworking in native products, or native items of artistic,  
20 historical, geologic significance, or hospitals or airports.

21 287.020. 1. The word "employee" as used in this chapter  
22 shall be construed to mean every person in the service of any  
23 employer, as defined in this chapter, under any contract of hire,  
24 express or implied, oral or written, or under any appointment or  
25 election, including executive officers of corporations. Except  
26 as otherwise provided in section 287.200, any reference to any  
27 employee who has been injured shall, when the employee is dead,  
28 also include his dependents, and other persons to whom

1 compensation may be payable.

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

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

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

1 defined to be the primary factor, in relation to any other  
2 factor, causing both the resulting medical condition and  
3 disability.

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

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

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

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

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

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

1 contracted during the course of the employment, nor shall they  
2 include death due to natural causes occurring while the worker is  
3 at work.

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

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

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

23 7. As used in this chapter and all acts amendatory thereof,  
24 the term "commission" shall hereafter be construed as meaning and  
25 referring exclusively to the labor and industrial relations  
26 commission of Missouri, and the term "director" shall hereafter  
27 be construed as meaning the director of the department of  
28 insurance, financial institutions and professional registration



1 of the state of Missouri or such agency of government as shall  
2 exercise the powers and duties now conferred and imposed upon the  
3 department of insurance, financial institutions and professional  
4 registration of the state of Missouri.

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

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

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

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

28 287.040. 1. Any person who has work done under contract on

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

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

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

26 4. The provisions of this section shall not apply to the  
27 relationship between a for-hire motor carrier operating within a  
28 commercial zone as defined in section 390.020 or 390.041 or

1 operating under a certificate issued by the Missouri department  
2 of transportation or by the United States Department of  
3 Transportation, or any of its subagencies, and an owner, as  
4 defined in [subdivision (42) of] section 301.010, and operator of  
5 a motor vehicle.

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

20 301.010. As used in this chapter and sections 304.010 to  
21 304.040, 304.120 to 304.260, and sections 307.010 to 307.175, the  
22 following terms mean:

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

28 (2) "Automobile transporter", any vehicle combination

1 capable of carrying cargo on the power unit and designed and used  
2 [specifically] for the transport of assembled motor vehicles,  
3 including truck camper units;

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

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

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

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

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

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

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

1 return;

2 [(9)] (10) "Dealer", any person, firm, corporation,  
3 association, agent or subagent engaged in the sale or exchange of  
4 new, used or reconstructed motor vehicles or trailers;

5 [(10)] (11) "Director" or "director of revenue", the  
6 director of the department of revenue;

7 [(11)] (12) "Driveaway operation":

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

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

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

26 [(12)] (13) "Dromedary", a box, deck, or plate mounted  
27 behind the cab and forward of the fifth wheel on the frame of the  
28 power unit of a truck tractor-semitrailer combination. A truck

1 tractor equipped with a dromedary may carry part of a load when  
2 operating independently or in a combination with a semitrailer;

3 [(13)] (14) "Farm tractor", a tractor used exclusively for  
4 agricultural purposes;

5 [(14)] (15) "Fleet", any group of ten or more motor  
6 vehicles owned by the same owner;

7 [(15)] (16) "Fleet vehicle", a motor vehicle which is  
8 included as part of a fleet;

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

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

15 [(18)] (19) "Hail-damaged vehicle", any vehicle, the body  
16 of which has become dented as the result of the impact of hail;

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

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

24 [(21)] (22) "Intersecting highway", any highway which joins  
25 another, whether or not it crosses the same;

26 [(22)] (23) "Junk vehicle", a vehicle which:

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

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

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

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

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

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

24 [(25)] (26) "Local commercial motor vehicle", a commercial  
25 motor vehicle whose operations are confined solely to a  
26 municipality and that area extending not more than fifty miles  
27 therefrom, or a commercial motor vehicle whose property-carrying  
28 operations are confined solely to the transportation of property

1 owned by any person who is the owner or operator of such vehicle  
2 to or from a farm owned by such person or under the person's  
3 control by virtue of a landlord and tenant lease; provided that  
4 any such property transported to any such farm is for use in the  
5 operation of such farm;

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

27 [(27)] (28) "Local log truck tractor", a commercial motor  
28 vehicle which is registered under this chapter to operate as a



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

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

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

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

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

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

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

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

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

17 (a) Offered for hire or lease; or

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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



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

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

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

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

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

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

1 landscaping, lawn care, or maintenance purposes;

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

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

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

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

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

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

14 301.136. 1. Any camping or fifth-wheel trailer, as defined  
15 in section 407.1320, that is over twenty-five years old may be  
16 permanently registered upon payment of a registration fee of  
17 fifty-two dollars and fifty cents. Upon the transfer of the  
18 title to any such trailer, the registration shall be canceled and  
19 the license plates issued therefor shall be returned to the  
20 director of revenue.

21 2. The owner of any such trailer shall file an application  
22 in a form prescribed by the director and a certificate of  
23 registration shall be issued therefor.

24 3. Notwithstanding any provision of this section to the  
25 contrary, any person possessing license plates issued by the  
26 state of Missouri that are over twenty-five years old, in which  
27 the year of issuance of such plates is consistent with the year  
28 of the manufacture of the camping or fifth-wheel trailer, may

1 register such plates as historic trailer plates as set forth in  
2 this section; provided that, the configuration of letters,  
3 numbers, or combination of letters and numbers of such plates is  
4 not identical to the configuration of letters, numbers, or  
5 combination of letters and numbers of any plates already issued  
6 to an owner by the director. Such license plates shall not be  
7 required to possess the characteristic features of reflective  
8 material and common color scheme and design as prescribed by  
9 section 301.130. The owner of the historic trailer registered  
10 under this section shall keep the certificate of registration in  
11 the trailer at all times. The certificate of registration shall  
12 be prima facie evidence that the trailer has been properly  
13 registered with the director and that all fees have been paid.

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

1 of ownership exists, the seller, if licensed under sections  
2 301.217 to 301.221, shall forward the certificate to the director  
3 of revenue within ten days, with the notation of the date sold  
4 for destruction and the name of the purchaser clearly shown on  
5 the face of the certificate.

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

23 3. For any vehicle issued a junking certificate or such  
24 similar document or classification pursuant to the laws of  
25 another state, regardless of whether such designation has been  
26 subsequently changed by law in any other state, the department  
27 shall only issue a junking certificate, and a salvage certificate  
28 of title or original certificate of ownership shall not

1 thereafter be issued for such vehicle. Notwithstanding the  
2 provisions of this subsection, if the vehicle has not previously  
3 been classified as a junk vehicle, the applicant making the  
4 original junking certification application shall, within ninety  
5 days, be allowed to rescind his application for a junking  
6 certificate by surrendering the junking certificate and apply for  
7 a salvage certificate of title in his name. The seller of a  
8 vehicle for which a junking certificate has been applied for or  
9 issued shall disclose such fact in writing to any prospective  
10 buyers before sale of such vehicle; otherwise the sale shall be  
11 voidable at the option of the buyer.

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

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

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

27 7. Notwithstanding any other provision of this section, a  
28 motor vehicle dealer as defined in section 301.550 and licensed

1 under the provisions of sections 301.550 to 301.572 may negotiate  
2 one reassignment of a salvage certificate of title on the back  
3 thereof.

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

25 9. Notwithstanding subsection 4 of this section or any  
26 other provision of the law to the contrary, if a motor vehicle is  
27 inoperable and is at least ten model years old, or the parts are  
28 from a motor vehicle that is inoperable and is at least ten model

1 years old, a scrap metal operator may purchase or acquire such  
2 motor vehicle or parts without receiving the original certificate  
3 of ownership, salvage certificate of title, or junking  
4 certificate from the seller of the vehicle or parts, provided the  
5 scrap metal operator verifies with the department of revenue, via  
6 the department's online record access, that the motor vehicle is  
7 not subject to any recorded security interest or lien and the  
8 scrap metal operator complies with the requirements of this  
9 subsection. In lieu of forwarding certificates of title or  
10 ownership for such motor vehicles as required by subsection 5 of  
11 this section, the scrap metal operator shall forward a copy of  
12 the seller's state identification card along with a bill of sale  
13 to the department of revenue. The bill of sale form shall be  
14 designed by the director and such form shall include, but not be  
15 limited to, a certification that the motor vehicle is at least  
16 ten model years old, is inoperable, is not subject to any  
17 recorded security interest or lien, and a certification by the  
18 seller that the seller has the legal authority to sell or  
19 otherwise transfer the seller's interest in the motor vehicle or  
20 parts. Upon receipt of the information required by this  
21 subsection, the department of revenue shall cancel any  
22 certificate of title or ownership and registration for the motor  
23 vehicle. If the motor vehicle is inoperable and at least twenty  
24 model years old, then the scrap metal operator shall not be  
25 required to verify with the department of revenue whether the  
26 motor vehicle is subject to any recorded security interests or  
27 liens. As used in this subsection, the term "inoperable" means a  
28 motor vehicle that is in a rusted, wrecked, discarded, worn out,



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

17 301.550. 1. The definitions contained in section 301.010  
18 shall apply to sections 301.550 to 301.573, and in addition as  
19 used in sections 301.550 to 301.573, the following terms mean:

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

1 sections 301.550 to 301.573. The boat dealer shall demonstrate  
2 eligibility for renewal of his license by selling six or more  
3 vessels or vessel trailers or both in the prior calendar year  
4 while licensed as a boat dealer pursuant to sections 301.550 to  
5 301.573;

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

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

13 (4) "Director", the director of the Missouri department of  
14 revenue;

15 (5) "Emergency vehicles", motor vehicles used as  
16 ambulances, law enforcement vehicles, and fire fighting and  
17 assistance vehicles;

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

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

28 (a) A dealer, or any agent, or any employee of a dealer

1 when acting on behalf of a dealer;

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

4 (c) The owner of the vehicle involved in the transaction;  
5 or

6 (d) A public motor vehicle auction or wholesale motor  
7 vehicle auction where buyers are licensed dealers in this or any  
8 other jurisdiction;

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

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

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

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

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

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

1           (13) "Public motor vehicle auction", any person, firm or  
2 corporation who takes possession of a motor vehicle whether by  
3 consignment, bailment or any other arrangement, except by title,  
4 for the purpose of selling motor vehicles at a public auction by  
5 a licensed auctioneer;

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

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

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

18 Notwithstanding the provisions of [subdivision (11) of] section  
19 301.010 and section 301.069, trailer dealers may purchase one  
20 driveaway license plate to display such motor vehicle for  
21 demonstration purposes. The sale of six or more trailers in any  
22 calendar year shall be required as evidence that such person is  
23 engaged in the trailer business and is eligible for licensure as  
24 a trailer dealer under sections 301.550 to 301.573. Any trailer  
25 dealer licensed before August 28, 2007, shall be required to meet  
26 the minimum calendar year sales of six or more trailers provided  
27 the dealer can prove the business achieved, cumulatively, six or  
28 more sales per year for the preceding twenty-four months in

1 business; or if the dealer has not been in business for  
2 twenty-four months, the cumulative equivalent of one sale every  
3 two months for the months the dealer has been in business before  
4 August 28, 2007. Any licensed trailer dealer failing to meet the  
5 minimum trailer and vehicle sales requirements as referenced in  
6 this subsection shall not be qualified to renew his or her  
7 license for one year. Applicants who reapply after the one-year  
8 period shall meet the requirement of six sales per year;

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

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

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

26 (20) "Vessel trailer", any trailer, as defined by section  
27 301.010 which is designed and manufactured for the purposes of  
28 transporting vessels;

1           (21) "Wholesale motor vehicle auction", any person, firm or  
2 corporation in the business of providing auction services solely  
3 in wholesale transactions at its established place of business in  
4 which the purchasers are motor vehicle dealers licensed by this  
5 or any other jurisdiction, and which neither buys, sells nor owns  
6 the motor vehicles it auctions in the ordinary course of its  
7 business. Except as required by law with regard to the auction  
8 sale of a government-owned motor vehicle, a wholesale motor  
9 vehicle auction shall not provide auction services in connection  
10 with the retail sale of a motor vehicle;

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

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

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

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

28           302.441. 1. If a person is required to have an ignition

1 interlock device installed on such person's vehicle, he or she  
2 may apply to the court for an employment exemption variance to  
3 allow him or her to drive an employer-owned vehicle not equipped  
4 with an ignition interlock device for employment purposes only.  
5 Such exemption shall not be granted to a person who is self-  
6 employed or who wholly or partially owns or controls an entity  
7 that owns an employer-owned vehicle.

8 2. A person who is granted an employment exemption variance  
9 under subsection 1 of this section shall not drive, operate, or  
10 be in physical control of an employer-owned vehicle used for  
11 transporting children under eighteen years of age or vulnerable  
12 persons, as defined in section 630.005, or an employer-owned  
13 vehicle for personal use.

14 304.005. 1. As used in this section, the term "autocycle"  
15 means a three-wheeled motor vehicle [on] which the drivers and  
16 passengers ride in a partially or completely enclosed, [tandem]  
17 non-straddle seating area [that is equipped with air bag  
18 protection, a roll cage, safety belts for each occupant, and  
19 antilock brakes and] that is designed to be controlled with a  
20 steering wheel and pedals, and has met applicable Department of  
21 Transportation National Highway Traffic Safety Administration  
22 requirements or Federal Motorcycle Safety Standards.

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

28 3. No person shall operate an autocycle on any highway or



1 street in this state unless the person has a valid driver's  
2 license. The operator of an autocycle, however, shall not be  
3 required to obtain a motorcycle or motortricycle license or  
4 endorsement pursuant to sections 302.010 to 302.340.

5 304.022. 1. Upon the immediate approach of an emergency  
6 vehicle giving audible signal by siren or while having at least  
7 one lighted lamp exhibiting red light visible under normal  
8 atmospheric conditions from a distance of five hundred feet to  
9 the front of such vehicle or a flashing blue light authorized by  
10 section 307.175, the driver of every other vehicle shall yield  
11 the right-of-way and shall immediately drive to a position  
12 parallel to, and as far as possible to the right of, the traveled  
13 portion of the highway and thereupon stop and remain in such  
14 position until such emergency vehicle has passed, except when  
15 otherwise directed by a police or traffic officer. 2. Upon  
16 approaching a stationary emergency vehicle displaying lighted red  
17 or red and blue lights, or a stationary vehicle owned by the  
18 state highways and transportation commission and operated by an  
19 authorized employee of the department of transportation or a  
20 stationary vehicle owned by a contractor or subcontractor  
21 performing work for the department of transportation displaying  
22 lighted amber or amber and white lights, the driver of every  
23 motor vehicle shall:

24 (1) Proceed with caution and yield the right-of-way, if  
25 possible with due regard to safety and traffic conditions, by  
26 making a lane change into a lane not adjacent to that of the  
27 stationary vehicle, if on a roadway having at least four lanes  
28 with not less than two lanes proceeding in the same direction as

1 the approaching vehicle; or

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

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

9 4. An "emergency vehicle" is a vehicle of any of the  
10 following types:

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

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

23 (3) Any vehicle qualifying as an emergency vehicle pursuant  
24 to section 307.175;

25 (4) Any wrecker, or tow truck or a vehicle owned and  
26 operated by a public utility or public service corporation while  
27 performing emergency service;

28 (5) Any vehicle transporting equipment designed to

1 extricate human beings from the wreckage of a motor vehicle;

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

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

13 (8) Any vehicle designated to perform hazardous substance  
14 emergency functions established pursuant to the provisions of  
15 sections 260.500 to 260.550; [or]

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

21 (10) Any vehicle owned and operated by the civil support  
22 team of the Missouri National Guard while in response to or  
23 during operations involving chemical, biological, or radioactive  
24 materials or in support of official requests from the state of  
25 Missouri involving unknown substances, hazardous materials, or as  
26 may be requested by the appropriate state agency acting on behalf  
27 of the governor.

28 5. (1) The driver of any vehicle referred to in subsection

1 4 of this section shall not sound the siren thereon or have the  
2 front red lights or blue lights on except when such vehicle is  
3 responding to an emergency call or when in pursuit of an actual  
4 or suspected law violator, or when responding to, but not upon  
5 returning from, a fire.

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

7 (a) Park or stand irrespective of the provisions of  
8 sections 304.014 to 304.025;

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

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

13 (d) Disregard regulations governing direction of movement  
14 or turning in specified directions.

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

23 6. No person shall purchase an emergency light as described  
24 in this section without furnishing the seller of such light an  
25 affidavit stating that the light will be used exclusively for  
26 emergency vehicle purposes.

27 7. Violation of this section shall be deemed a class A  
28 misdemeanor.

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

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

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

23           4. No bus, recreational motor vehicle or trackless trolley  
24 coach operated upon the highways of this state shall have a  
25 length in excess of forty-five feet, except that such vehicles  
26 may exceed the forty-five feet length when such excess length is  
27 caused by the projection of a front safety bumper or a rear  
28 safety bumper or both. Such safety bumper shall not cause the

1 length of the bus or recreational motor vehicle to exceed the  
2 forty-five feet length limit by more than one foot in the front  
3 and one foot in the rear. Notwithstanding any provision of this  
4 section to the contrary, an articulated bus, comprised of two or  
5 more sections connected by a flexible joint or other mechanism,  
6 may be up to sixty feet in length, not including safety bumpers  
7 which may extend one foot in front and one foot in the rear, and  
8 not including bicycle storage racks which may extend over the  
9 safety bumper by up to five feet when in the down position  
10 transporting a bicycle.

11  
12 The term "safety bumper" means any device which may be fitted on  
13 an existing bumper or which replaces the bumper and is so  
14 constructed, treated, or manufactured that it absorbs energy upon  
15 impact.

16 5. No combination of truck-tractor and semitrailer or  
17 truck-tractor equipped with dromedary and semitrailer operated  
18 upon the highways of this state shall have a length, including  
19 load, in excess of sixty feet; except that in order to comply  
20 with the provisions of Pub. L. 97-424 codified in Title 23 of the  
21 United States Code [(Public Law 97-424)] (23 U.S.C. Section 101,  
22 et al.), as amended, no combination of truck-tractor and  
23 semitrailer or truck-tractor equipped with dromedary and  
24 semitrailer operated upon the interstate highway system of this  
25 state shall have an overall length, including load, in excess of  
26 the length of the truck-tractor plus the semitrailer or  
27 truck-tractor equipped with dromedary and semitrailer. The  
28 length of such semitrailer shall not exceed fifty-three feet.

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

21           7. Automobile transporters, boat transporters,  
22 truck-trailer boat transporter combinations, [stinger-steered  
23 combination automobile transporters] and stinger-steered  
24 combination boat transporters having a length not in excess of  
25 seventy-five feet may be operated on the interstate highways of  
26 this state and such other highways as may be designated by the  
27 [highways and transportation] commission for the operation of  
28 such vehicles plus a distance not to exceed ten miles from such

1 interstate or designated highway. All length provisions  
2 regarding automobile or boat transporters, truck-trailer boat  
3 transporter combinations and stinger-steered [combinations]  
4 combination boat transporters shall include a semitrailer length  
5 not to exceed fifty-three feet and are exclusive of front and  
6 rear overhang, which shall be no greater than a three-foot front  
7 overhang and no greater than a four-foot rear overhang.

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

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

22 8. Driveaway saddlemount combinations having a length not  
23 in excess of ninety-seven feet may be operated on the interstate  
24 highways of this state and such other highways as may be  
25 designated by the [highways and transportation] commission for  
26 the operation of such vehicles plus a distance not to exceed ten  
27 miles from such interstate or designated highway. Saddlemount  
28 combinations must comply with the safety requirements of Section



1 393.71 of Title 49 of the Code of Federal Regulations and may  
2 contain no more than three saddlemounted vehicles and one  
3 fullmount.

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

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

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

1           [11.] 12. Except as provided in subsections 5, 6, 7, 8, 9,  
2 [and] 10, and 11 of this section, no other combination of  
3 vehicles operated upon the primary or interstate highways of this  
4 state plus a distance of ten miles from a primary or interstate  
5 highway shall have an overall length, unladen or with load, in  
6 excess of sixty-five feet or in excess of fifty-five feet on any  
7 other highway[, except the state highways and transportation  
8 commission may designate additional routes for use by sixty-five  
9 foot combinations, seventy-five foot stinger-steered or  
10 seventy-five foot saddlemount combinations. Any vehicle or  
11 combination of vehicles transporting automobiles, boats or other  
12 motor vehicles may carry a load which extends no more than three  
13 feet beyond the front and four feet beyond the rear of the  
14 transporting vehicle or combination of vehicles].

15           [12.] 13. (1) Except as hereinafter provided, these  
16 restrictions shall not apply to agricultural implements operating  
17 occasionally on the highways for short distances including  
18 tractor parades for fund-raising activities or special events,  
19 provided the tractors are driven by licensed drivers during  
20 daylight hours only and with the approval of the superintendent  
21 of the Missouri state highway patrol; or to self-propelled  
22 hay-hauling equipment or to implements of husbandry, or to the  
23 movement of farm products as defined in section 400.9-102 or to  
24 vehicles temporarily transporting agricultural implements or  
25 implements of husbandry or road-making machinery, or road  
26 materials or towing for repair purposes vehicles that have become  
27 disabled upon the highways; or to implement dealers delivering or  
28 moving farm machinery for repairs on any state highway other than

1 the interstate system.

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

8 [13.] 14. As used in this chapter the term "implements of  
9 husbandry" means all self-propelled machinery operated at speeds  
10 of less than thirty miles per hour, specifically designed for, or  
11 especially adapted to be capable of, incidental over-the-road and  
12 primary offroad usage and used exclusively for the application of  
13 commercial plant food materials or agricultural chemicals, and  
14 not specifically designed or intended for transportation of such  
15 chemicals and materials.

16 [14.] 15. Sludge disposal units may be operated on all  
17 state highways other than the interstate system. Such units  
18 shall not exceed one hundred thirty-eight inches in width and may  
19 be equipped with over-width tires. Such units shall observe all  
20 axle weight limits. The [chief engineer of the state  
21 transportation department] commission shall issue special permits  
22 for the movement of such disposal units and may by such permits  
23 restrict the movements to specified routes, days and hours.

24 304.180. 1. No vehicle or combination of vehicles shall be  
25 moved or operated on any highway in this state having a greater  
26 weight than twenty thousand pounds on one axle, no combination of  
27 vehicles operated by transporters of general freight over regular  
28 routes as defined in section 390.020 shall be moved or operated

1 on any highway of this state having a greater weight than the  
2 vehicle manufacturer's rating on a steering axle with the maximum  
3 weight not to exceed twelve thousand pounds on a steering axle,  
4 and no vehicle shall be moved or operated on any state highway of  
5 this state having a greater weight than thirty-four thousand  
6 pounds on any tandem axle; the term "tandem axle" shall mean a  
7 group of two or more axles, arranged one behind another, the  
8 distance between the extremes of which is more than forty inches  
9 and not more than ninety-six inches apart.

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

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

20	Distance in feet between the extremes					
21	of any group of two or more consecutive					
22	axles, measured to the nearest foot,					
23	except where indicated otherwise					
24	Maximum load in pounds					
25	feet	2 axles	3 axles	4 axles	5 axles	6 axles
26						
27	4	34,000				
28	5	34,000				

1	6	34,000				
2	7	34,000				
3	8	34,000	34,000			
4	More than 8	38,000	42,000			
5	9	39,000	42,500			
6	10	40,000	43,500			
7	11	40,000	44,000			
8	12	40,000	45,000	50,000		
9	13	40,000	45,500	50,500		
10	14	40,000	46,500	51,500		
11	15	40,000	47,000	52,000		
12	16	40,000	48,000	52,500	58,000	
13	17	40,000	48,500	53,500	58,500	
14	18	40,000	49,500	54,000	59,000	
15	19	40,000	50,000	54,500	60,000	
16	20	40,000	51,000	55,500	60,500	66,000
17	21	40,000	51,500	56,000	61,000	66,500
18	22	40,000	52,500	56,500	61,500	67,000
19	23	40,000	53,000	57,500	62,500	68,000
20	24	40,000	54,000	58,000	63,000	68,500
21	25	40,000	54,500	58,500	63,500	69,000
22	26	40,000	55,500	59,500	64,000	69,500
23	27	40,000	56,000	60,000	65,000	70,000
24	28	40,000	57,000	60,500	65,500	71,000
25	29	40,000	57,500	61,500	66,000	71,500
26	30	40,000	58,500	62,000	66,500	72,000
27	31	40,000	59,000	62,500	67,500	72,500
28	32	40,000	60,000	63,500	68,000	73,000

1	33	40,000	60,000	64,000	68,500	74,000
2	34	40,000	60,000	64,500	69,000	74,500
3	35	40,000	60,000	65,500	70,000	75,000
4	36		60,000	66,000	70,500	75,500
5	37		60,000	66,500	71,000	76,000
6	38		60,000	67,500	72,000	77,000
7	39		60,000	68,000	72,500	77,500
8	40		60,000	68,500	73,000	78,000
9	41		60,000	69,500	73,500	78,500
10	42		60,000	70,000	74,000	79,000
11	43		60,000	70,500	75,000	80,000
12	44		60,000	71,500	75,500	80,000
13	45		60,000	72,000	76,000	80,000
14	46		60,000	72,500	76,500	80,000
15	47		60,000	73,500	77,500	80,000
16	48		60,000	74,000	78,000	80,000
17	49		60,000	74,500	78,500	80,000
18	50		60,000	75,500	79,000	80,000
19	51		60,000	76,000	80,000	80,000
20	52		60,000	76,500	80,000	80,000
21	53		60,000	77,500	80,000	80,000
22	54		60,000	78,000	80,000	80,000
23	55		60,000	78,500	80,000	80,000
24	56		60,000	79,500	80,000	80,000
25	57		60,000	80,000	80,000	80,000

26

27 Notwithstanding the above table, two consecutive sets of tandem  
28 axles may carry a gross load of thirty-four thousand pounds each

1 if the overall distance between the first and last axles of such  
2 consecutive sets of tandem axles is thirty-six feet or more.

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

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

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

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

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

24           9. Notwithstanding any provision of this section or any  
25 other law to the contrary, the total gross weight of any vehicle  
26 or combination of vehicles hauling milk, from a farm to a  
27 processing facility or livestock may be as much as, but shall not  
28 exceed, eighty-five thousand five hundred pounds while operating



1 on highways other than the interstate highway system. The  
2 provisions of this subsection shall not apply to vehicles  
3 operated and operating on the Dwight D. Eisenhower System of  
4 Interstate and Defense Highways.

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

14 11. Notwithstanding any provision of this section or any  
15 other law to the contrary, the [department of transportation]  
16 commission shall issue emergency utility response permits for the  
17 transporting of utility wires or cables, poles, and equipment  
18 needed for repair work immediately following a disaster where  
19 utility service has been disrupted. Under exigent circumstances,  
20 verbal approval of such operation may be made either by the  
21 department of transportation motor carrier compliance supervisor  
22 or other designated motor carrier services representative.  
23 Utility vehicles and equipment used to assist utility companies  
24 granted special permits under this subsection may be operated and  
25 transported on state-maintained roads and highways at any time on  
26 any day. The [department of transportation] commission shall  
27 promulgate all necessary rules and regulations for the  
28 administration of this section. Any rule or portion of a rule,

1 as that term is defined in section 536.010, that is created under  
2 the authority delegated in this section shall become effective  
3 only if it complies with and is subject to all of the provisions  
4 of chapter 536 and, if applicable, section 536.028. This section  
5 and chapter 536 are nonseverable and if any of the powers vested  
6 with the general assembly pursuant to chapter 536 to review, to  
7 delay the effective date, or to disapprove and annul a rule are  
8 subsequently held unconstitutional, then the grant of rulemaking  
9 authority and any rule proposed or adopted after August 28, 2014,  
10 shall be invalid and void.

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

20 13. Notwithstanding any provision of this section to the  
21 contrary, a vehicle operated by an engine fueled primarily by  
22 natural gas may operate upon the public highways of this state in  
23 excess of the vehicle weight limits set forth in this section by  
24 an amount that is equal to the difference between the weight of  
25 the vehicle attributable to the natural gas tank and fueling  
26 system carried by that vehicle and the weight of a comparable  
27 diesel tank and fueling system. In no event shall the maximum  
28 gross vehicle weight of the vehicle operating with a natural gas

1 engine exceed eighty-two thousand pounds.

2 304.190. 1. No motor vehicle, unladen or with load,  
3 operating exclusively within the corporate limits of cities  
4 containing seventy-five thousand inhabitants or more or within  
5 two miles of the corporate limits of the city or within the  
6 commercial zone of the city shall exceed fifteen feet in height.

7 2. No motor vehicle operating exclusively within any said  
8 area shall have a greater weight than twenty-two thousand four  
9 hundred pounds on one axle.

10 3. The "commercial zone" of the city is defined to mean  
11 that area within the city together with the territory extending  
12 one mile beyond the corporate limits of the city and one mile  
13 additional for each fifty thousand population or portion thereof  
14 provided, however:

15 (1) The commercial zone surrounding a city not within a  
16 county shall extend twenty-five miles beyond the corporate limits  
17 of any such city not located within a county and shall also  
18 extend throughout any county with a charter form of government  
19 which adjoins that city and throughout any county with a charter  
20 form of government and with more than two hundred fifty thousand  
21 but fewer than three hundred fifty thousand inhabitants that is  
22 adjacent to such county adjoining such city;

23 (2) The commercial zone of a city with a population of at  
24 least four hundred thousand inhabitants but not more than four  
25 hundred fifty thousand inhabitants shall extend twelve miles  
26 beyond the corporate limits of any such city; except that this  
27 zone shall extend from the southern border of such city's limits,  
28 beginning with the western-most freeway, following said freeway

1 south to the first intersection with a multilane undivided  
2 highway, where the zone shall extend south along said freeway to  
3 include a city of the fourth classification with more than eight  
4 thousand nine hundred but less than nine thousand inhabitants,  
5 and shall extend north from the intersection of said freeway and  
6 multilane undivided highway along the multilane undivided highway  
7 to the city limits of a city with a population of at least four  
8 hundred thousand inhabitants but not more than four hundred fifty  
9 thousand inhabitants, and shall extend east from the city limits  
10 of a special charter city with more than two hundred seventy-five  
11 but fewer than three hundred seventy-five inhabitants along State  
12 Route 210 and northwest from the intersection of State Route 210  
13 and State Route 10 to include the boundaries of any city of the  
14 third classification with more than ten thousand eight hundred  
15 but fewer than ten thousand nine hundred inhabitants and located  
16 in more than one county. The commercial zone shall continue east  
17 along State Route 10 from the intersection of State Route 10 and  
18 State Route 210 to the eastern city limit of a city of the fourth  
19 classification with more than five hundred fifty but fewer than  
20 six hundred twenty-five inhabitants and located in any county of  
21 the third classification without a township form of government  
22 and with more than twenty-three thousand but fewer than  
23 twenty-six thousand inhabitants and with a city of the third  
24 classification with more than five thousand but fewer than six  
25 thousand inhabitants as the county seat. The commercial zone  
26 described in this subdivision shall be extended to also include  
27 the stretch of State Route 45 from its intersection with  
28 Interstate 29 extending northwest to the city limits of any

1 village with more than forty but fewer than fifty inhabitants and  
2 located in any county of the first classification with more than  
3 eighty-three thousand but fewer than ninety-two thousand  
4 inhabitants and with a city of the fourth classification with  
5 more than four thousand five hundred but fewer than five thousand  
6 inhabitants as the county seat. The commercial zone described in  
7 this subdivision shall be extended east from the intersection of  
8 State Route 7 and U.S. Highway 50 to include the city limits of a  
9 city of the fourth classification with more than one thousand  
10 fifty but fewer than one thousand two hundred inhabitants and  
11 located in any county with a charter form of government and with  
12 more than six hundred thousand but fewer than seven hundred  
13 thousand inhabitants, and from the eastern limits of said city  
14 east along U.S. Highway 50 up to and including the intersection  
15 of U.S. Highway 50 and State Route AA, then south along State  
16 Route AA up to and including the intersection of State Route AA  
17 and State Route 58, then west along State Route 58 to include the  
18 city limits of a city of the fourth classification with more than  
19 one hundred forty but fewer than one hundred sixty inhabitants  
20 and located in any county of the first classification with more  
21 than ninety-two thousand but fewer than one hundred one thousand  
22 inhabitants, and from the western limits of said city along State  
23 Route 58 to where State Route 58 intersects with State Route 7;

24 (3) The commercial zone of a city of the third  
25 classification with more than nine thousand six hundred fifty but  
26 fewer than nine thousand eight hundred inhabitants shall extend  
27 south from the city limits along U.S. Highway 61 to the  
28 intersection of State Route 00 in a county of the third

1 classification without a township form of government and with  
2 more than seventeen thousand eight hundred but fewer than  
3 seventeen thousand nine hundred inhabitants;

4 (4) The commercial zone of a home rule city with more than  
5 one hundred eight thousand but fewer than one hundred sixteen  
6 thousand inhabitants and located in a county of the first  
7 classification with more than one hundred fifty thousand but  
8 fewer than two hundred thousand inhabitants shall extend north  
9 from the city limits along U.S. Highway 63, a state highway, to  
10 the intersection of State Route NN, and shall continue west and  
11 south along State Route NN to the intersection of State Route  
12 124, and shall extend east from the intersection along State  
13 Route 124 to U.S. Highway 63. The commercial zone described in  
14 this subdivision shall also extend east from the city limits  
15 along State Route WW to the intersection of State Route J and  
16 continue south on State Route J for four miles.

17 4. In no case shall the commercial zone of a city be  
18 reduced due to a loss of population. The provisions of this  
19 section shall not apply to motor vehicles operating on the  
20 interstate highways in the area beyond two miles of a corporate  
21 limit of the city unless the United States Department of  
22 Transportation increases the allowable weight limits on the  
23 interstate highway system within commercial zones. In such case,  
24 the mileage limits established in this section shall be  
25 automatically increased only in the commercial zones to conform  
26 with those authorized by the United States Department of  
27 Transportation.

28 5. Nothing in this section shall prevent a city, county, or

1 municipality, by ordinance, from designating the routes over  
2 which such vehicles may be operated.

3 6. No motor vehicle engaged in interstate commerce, whether  
4 unladen or with load, whose operations in the state of Missouri  
5 are limited exclusively to the commercial zone of a first class  
6 home rule municipality located in a county with a population  
7 between eighty thousand and ninety-five thousand inhabitants  
8 which has a portion of its corporate limits contiguous with a  
9 portion of the boundary between the states of Missouri and  
10 Kansas, shall have a greater weight than twenty-two thousand four  
11 hundred pounds on one axle, nor shall exceed fifteen feet in  
12 height.

13 304.725. 1. A veteran displaying special license plates  
14 issued under section 301.145, 301.443, 301.451, [or] 301.456, [or  
15 a veteran who is a Bronze Star recipient] 301.3052, 301.3053, or  
16 301.3075, or a Distinguished Service Cross recipient, Air Force  
17 Cross recipient, or Coast Guard Cross recipient who displays a  
18 placard issued under subsection 2 of this section may park his or  
19 her motor vehicle, weighing not more than six thousand pounds  
20 gross weight, without charge, in a metered parking space or in a  
21 parking lot or garage on any public college or university in the  
22 state of Missouri, except during a special event where a separate  
23 parking fee may apply.

24 2. A veteran who has been awarded the [military service  
25 award known as the "Bronze Star"] Distinguished Service Cross,  
26 Air Force Cross, Coast Guard Cross, or a veteran who qualifies  
27 for a special license plate under subsection 1 of this section  
28 may apply to the director of revenue for a removable windshield

1 placard at no cost to the veteran. Upon application, such  
2 veteran shall present proof to the director of his or her receipt  
3 of such award. Such placard shall be hung from the front, middle  
4 rearview mirror of a parked motor vehicle and may not be hung  
5 from the mirror during operation. When there is no rearview  
6 mirror, the placard shall be displayed on the dashboard on the  
7 driver's side.

8 3. A local authority's compliance with this section is  
9 solely contingent upon the approval of its governing body.

10 4. This section does not exempt a vehicle displaying  
11 special license plates under section 301.145, 301.443, 301.451,  
12 [or] 301.456, 301.3052, 301.3053, or 301.3075, or displaying a  
13 placard as provided in subsection 2 of this section, from  
14 compliance with any other state law or ordinance, including, but  
15 not limited to, vehicle height restrictions, zones that prohibit  
16 stopping, parking, or standing of all vehicles, parking time  
17 limitations, street sweeping, restrictions of the parking space  
18 to a particular type of vehicle, or the parking of a vehicle that  
19 is involved in the operation of a street vending business.

20 5. This section does not authorize a vehicle displaying  
21 special license plates under section 301.145, 301.443, 301.451,  
22 [or] 301.456, 301.3052, 301.3053, or 301.3075, or displaying a  
23 placard as provided in subsection 2 of this section, to park in a  
24 state parking facility that is designated only for state  
25 employees.

26 6. This section does not authorize a vehicle displaying  
27 special license plates under section 301.145, 301.443, 301.451,  
28 [or] 301.456, 301.3052, 301.3053, or 301.3075, or displaying a



1 placard as provided in subsection 2 of this section, to park  
2 during time periods other than the normal business hours of, or  
3 the maximum time allotted by, a state or local authority parking  
4 facility.

5 7. This section does not require the state or a local  
6 authority to designate specific parking spaces for vehicles  
7 displaying special license plates under section 301.145, 301.443,  
8 301.451, [or] 301.456, 301.3052, 301.3053, or 301.3075, or  
9 displaying a placard as provided in subsection 2 of this section.

10 407.816. 1. As used in subdivision (7) of section 407.815,  
11 the term "motor vehicle" shall not include "trailer" as such term  
12 is defined in [subdivision (60) of] section 301.010.

13 2. Prior to August 1, 2002, the provisions of section  
14 407.817, subdivisions (13), (17) and (18) of section 407.825 and  
15 section 407.826 shall not apply to recreational vehicle dealers  
16 or manufacturers.

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

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27 Dave Schatz

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