

FIRST REGULAR SESSION
HOUSE COMMITTEE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 399
99TH GENERAL ASSEMBLY

1725H.03C

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To repeal sections 68.075, 142.800, 142.803, 142.869, 287.020, 287.040, 288.035, 301.010, 301.031, 301.213, 301.227, 301.550, 301.559, 301.560, 304.170, 304.180, and 407.816, RSMo, and to enact in lieu thereof eighteen new sections relating to transportation.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Sections 68.075, 142.800, 142.803, 142.869, 287.020, 287.040, 288.035, 2 301.010, 301.031, 301.213, 301.227, 301.550, 301.559, 301.560, 304.170, 304.180, and 407.816, 3 RSMo, are repealed and eighteen new sections enacted in lieu thereof, to be known as sections 4 68.075, 142.800, 142.803, 142.869, 287.020, 287.040, 288.035, 301.010, 301.031, 301.213, 5 301.227, 301.550, 301.559, 301.560, 304.170, 304.180, 407.816, and 1, to read as follows:

68.075. 1. This section shall be known and may be cited as the "Advanced Industrial 2 Manufacturing Zones Act".

3 2. As used in this section, the following terms shall mean:

4 (1) "AIM zone", an area identified through a resolution passed by the port authority 5 board of commissioners appointed under section 68.045 that is being developed or redeveloped 6 for any purpose so long as any infrastructure and building built or improved is in the 7 development area. The port authority board of commissioners shall file an annual report 8 indicating the established AIM zones with the department of revenue;

9 (2) "**County average wage**", **the average wages in each county as determined by the** 10 **Missouri department of economic development for the most recently completed full** 11 **calendar year. However, if the computed county average wage is above the statewide** 12 **average wage, the statewide average wage shall be deemed the county average wage for** 13 **such county for the purpose of determining eligibility;**

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

14 (3) "New job", the number of full-time employees located at the project facility that
15 exceeds the project facility base employment less any decrease in the number of full-time
16 employees at related facilities below the related facility base employment. No job that was
17 created prior to the date of the notice of intent shall be deemed a new job. An employee that
18 spends less than fifty percent of the employee's work time at the facility is still considered to be
19 located at a facility if the employee receives his or her directions and control from that facility,
20 is on the facility's payroll, one hundred percent of the employee's income from such employment
21 is Missouri income, and the employee is paid at or above the [state] county average wage.

22 3. Any port authority located in this state may establish an AIM zone. Such zone may
23 only include the area within the port authority's jurisdiction, **ownership, or control**, and may
24 include any such area. The port authority shall determine the boundaries for each AIM zone, and
25 more than one AIM zone may exist within the port authority's jurisdiction **or under the port**
26 **authority's ownership or control, and may be expanded or contracted by resolution of the**
27 **port authority board of commissioners.**

28 4. Fifty percent of the state tax withholdings imposed by sections 143.191 to 143.265
29 on new jobs within such zone after development or redevelopment has commenced shall not be
30 remitted to the general **revenue** fund of the state of Missouri. Such moneys shall be deposited
31 into the port authority AIM zone fund established under subsection 5 of this section for the
32 purpose of continuing to expand, develop, and redevelop AIM zones identified by the port
33 authority board of commissioners and may be used for managerial, engineering, legal, research,
34 promotion, planning, satisfaction of bonds issued under section 68.040, and any other expenses.

35 5. There is hereby created in the state treasury the "Port Authority AIM Zone Fund",
36 which shall consist of money collected under this section. The state treasurer shall be custodian
37 of the fund and shall approve disbursements from the fund in accordance with sections 30.170
38 and 30.180 to the port authorities from which the funds were collected, less the pro-rata portion
39 appropriated by the general assembly to be used solely for the administration of this section
40 which shall not exceed ten percent of the total amount collected within the zones of a port
41 authority. Notwithstanding the provisions of section 33.080 to the contrary, any moneys
42 remaining in the fund at the end of the biennium shall not revert to the credit of the general
43 revenue fund. The state treasurer shall invest moneys in the fund in the same manner as other
44 funds are invested. Any interest and moneys earned on such investments shall be credited to the
45 fund.

46 6. The port authority shall approve any projects that begin construction and disperse any
47 money collected under this section. The port authority shall submit an annual budget for the
48 funds to the department of economic development explaining how and when such money will
49 be spent.

50 7. The provision of section 23.253 notwithstanding, no AIM zone may be established
51 after August 28, 2023. Any AIM zone created prior to that date shall continue to exist and be
52 coterminous with the retirement of all debts incurred under subsection 4 of this section. No
53 debts may be incurred or reauthorized using AIM zone revenue after August 28, 2023.

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

3 (1) "Agricultural purposes", clearing, terracing or otherwise preparing the ground on a
4 farm; preparing soil for planting and fertilizing, cultivating, raising and harvesting crops; raising
5 and feeding livestock and poultry; building fences; pumping water for any and all uses on the
6 farm, including irrigation; building roads upon any farm by the owner or person farming the
7 same; operating milking machines; sawing wood for use on a farm; producing electricity for use
8 on a farm; movement of tractors, farm implements and nonlicensed equipment from one field
9 to another;

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

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

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

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

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

25 (5) "Blended fuel", a mixture composed of motor fuel and another liquid including blend
26 stock, other than a de minimis amount of a product such as carburetor detergent or oxidation
27 inhibitor, that can be used as a fuel in a highway vehicle. This term includes but is not limited
28 to gasohol, ethanol, methanol, fuel grade alcohol, diesel fuel enhancers and resulting blends;

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

31 (7) "Blending", the mixing of one or more petroleum products, with or without another
32 product, regardless of the original character of the product blended, if the product obtained by

33 the blending is capable of use or otherwise sold for use in the generation of power for the
34 propulsion of a motor vehicle, an airplane, or a motorboat. The term does not include the
35 blending that occurs in the process of refining by the original refiner of crude petroleum or the
36 blending of products known as lubricating oil and greases;

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

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

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

46 (11) "Consumer", the user of the motor fuel;

47 (12) "Delivery", the placing of motor fuel or any liquid **or propulsion energy** into the
48 **battery, fuel tank, or storage device** of a motor vehicle or bulk storage facility;

49 (13) "Department", the department of revenue;

50 (14) "Destination state", the state, territory, or foreign country to which motor fuel is
51 directed for delivery into a storage facility, a receptacle, a container, or a type of transportation
52 equipment for the purpose of resale or use;

53 (15) "Diesel fuel", any liquid that is commonly or commercially known or sold as a fuel
54 that is suitable for use in a diesel-powered highway vehicle. A liquid meets this requirement if,
55 without further processing or blending, the liquid has practical and commercial fitness for use
56 in the propulsion engine of a diesel-powered highway vehicle. "Diesel fuel" does not include
57 jet fuel sold to a buyer who is registered with the Internal Revenue Service to purchase jet fuel
58 and remit taxes on its sale or use to the Internal Revenue Service. "Diesel fuel" does not include
59 biodiesel commonly referred to as B100 and defined in ASTM D6751, B99, or B99.9 until such
60 biodiesel is blended with other diesel fuel or sold for highway use;

61 (16) "Diesel-powered highway vehicle", a motor vehicle operated on a highway that is
62 propelled by a diesel-powered engine;

63 (17) "Director", the director of revenue;

64 (18) "Distributor", a person who either produces, refines, blends, compounds or
65 manufactures motor fuel, imports motor fuel into a state or exports motor fuel out of a state, or
66 who is engaged in distribution of motor fuel;

67 (19) "Dyed fuel", diesel fuel or kerosene that is required to be dyed pursuant to United
68 States Environmental Protection Agency rules or is dyed pursuant to Internal Revenue Service

69 rules or pursuant to any other requirements subsequently set by the United States Environmental
70 Protection Agency or Internal Revenue Service including any invisible marker requirements;

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

73 (21) "Export", to obtain motor fuel in this state for sale or other distribution outside of
74 this state. In applying this definition, motor fuel delivered out of state by or for the seller
75 constitutes an export by the seller, and motor fuel delivered out of state by or for the purchaser
76 constitutes an export by the purchaser;

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

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

83 (24) "Fuel grade alcohol", a methanol or ethanol with a proof of not less than one
84 hundred ninety degrees (determined without regard to denaturants) and products derived from
85 such alcohol for blending with motor fuel;

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

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

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

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

96 (29) "Import", to bring motor fuel into this state by any means of conveyance other than
97 in the fuel supply tank of a motor vehicle. In applying this definition, motor fuel delivered into
98 this state from out-of-state by or for the seller constitutes an import by the seller, and motor fuel
99 delivered into this state from out-of-state by or for the purchaser constitutes an import by the
100 purchaser;

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

105 (31) "Importer" includes any person who is the importer of record, pursuant to federal
106 customs law, with respect to motor fuel. If the importer of record is acting as an agent, the
107 person for whom the agent is acting is the importer. If there is no importer of record of motor
108 fuel entered into this state, the owner of the motor fuel at the time it is brought into this state is
109 the importer;

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

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

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

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

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

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

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

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

129 (b) A vehicle solely operated on rails;

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

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

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

140 (42) "Position holder", the person who holds the inventory position in motor fuel in a
141 terminal, as reflected on the records of the terminal operator. A person holds the inventory
142 position in motor fuel when that person has a contract with the terminal operator for the use of
143 storage facilities and terminating services for motor fuel at the terminal. The term includes a
144 terminal operator who owns motor fuel in the terminal;

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

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

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

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

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

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

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

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

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

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

166 (b) One or more of the following:

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

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

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

172 d. The position holder in a terminal or refinery outside this state with respect to motor
173 fuel which that person imports into this state. A terminal operator shall not be considered a
174 supplier based solely on the fact that the terminal operator handles motor fuel consigned to it
175 within a terminal. "Supplier" also means a person that produces fuel grade alcohol or alcohol-

176 derivative substances in this state, produces fuel grade alcohol or alcohol-derivative substances
177 for import to this state into a terminal, or acquires upon import by truck, rail car or barge into a
178 terminal, fuel grade alcohol or alcohol-derivative substances. "Supplier" includes a permissive
179 supplier unless specifically provided otherwise;

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

182 (53) "Terminal", a bulk storage and distribution facility which includes:

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

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

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

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

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

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

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

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

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

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

201 (58) "Transporter", any operator of a pipeline, barge, railroad or transport truck engaged
202 in the business of transporting motor fuels;

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

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

209 (b) The exchange transaction is simultaneous with removal from the terminal by the
210 receiving exchange partner. However, in any event, the terminal operator in its books and

211 records treats the receiving exchange party as the supplier which removes the product across a
212 terminal rack for purposes of reporting such events to this state;

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

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

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

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

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

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

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

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

24 (5) Liquefied natural gas fuel, five cents per diesel gallon equivalent until December 31,
25 2019, eleven cents per diesel gallon equivalent from January 1, 2020, until December 31, 2024,
26 and then seventeen cents per diesel gallon equivalent thereafter. The diesel gallon equivalent and
27 method of sale for liquefied natural gas shall be as published by the National Institute of

28 Standards and Technology in Handbooks 44 and 130, and supplements thereto or revisions
29 thereof.

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31 In the absence of such standard or agreement, the diesel gallon equivalent and method of sale for
32 liquefied natural gas shall be equal to six and six-hundredths pounds of liquefied natural gas.
33 All applicable provisions contained in this chapter governing administration, collections, and
34 enforcement of the state motor fuel tax shall apply to the tax imposed on liquefied natural gas,
35 including but not limited to licensing, reporting, penalties, and interest;

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

41 **(7) If a natural gas, compressed natural gas, [or] liquefied natural gas, electric, or**
42 **propane connection is used for fueling motor vehicles and for another use, such as heating, the**
43 **tax imposed by this section shall apply to the entire amount of natural gas, compressed natural**
44 **gas, [or] liquefied natural gas, electricity, or propane used unless an approved separate metering**
45 **and accounting system is in place.**

46 2. All taxes, surcharges and fees are imposed upon the ultimate consumer, but are to be
47 precollected as described in this chapter, for the facility and convenience of the consumer. The
48 levy and assessment on other persons as specified in this chapter shall be as agents of this state
49 for the precollection of the tax.

142.869. 1. The tax imposed by this chapter shall not apply to passenger motor vehicles,
2 buses as defined in section 301.010, or commercial motor vehicles registered in this state which
3 are powered by alternative fuel, and for which a valid decal has been acquired as provided in this
4 section, provided that sales made to alternative fueled vehicles powered by **propane**, compressed
5 natural gas, or liquefied natural gas that do not meet the requirements of subsection 3 of this
6 section shall be taxed exclusively pursuant to subdivisions (4) [~~and (5)~~] **to (7)** of subsection 1
7 of section 142.803, respectively. The owners or operators of such motor vehicles, **except plug-**
8 **in electric hybrids**, shall, in lieu of the tax imposed by section 142.803, pay an annual
9 alternative fuel decal fee as follows: seventy-five dollars on each passenger motor vehicle, school
10 bus as defined in section 301.010, and commercial motor vehicle with a licensed gross vehicle
11 weight of eighteen thousand pounds or less; one hundred dollars on each motor vehicle with a
12 licensed gross weight in excess of eighteen thousand pounds but not more than thirty-six
13 thousand pounds used for farm or farming transportation operations and registered with a license
14 plate designated with the letter "F"; one hundred fifty dollars on each motor vehicle with a

15 licensed gross vehicle weight in excess of eighteen thousand pounds but less than or equal to
16 thirty-six thousand pounds, and each passenger-carrying motor vehicle subject to the registration
17 fee provided in sections 301.059, 301.061 and 301.063; two hundred fifty dollars on each motor
18 vehicle with a licensed gross weight in excess of thirty-six thousand pounds used for farm or
19 farming transportation operations and registered with a license plate designated with the letter
20 "F"; and one thousand dollars on each motor vehicle with a licensed gross vehicle weight in
21 excess of thirty-six thousand pounds. **Owners or operators of plug-in electric hybrids shall**
22 **pay one-half of the stated annual alternative fuel decal fee.** Notwithstanding provisions of
23 this section to the contrary, motor vehicles licensed as historic under section 301.131 which are
24 powered by alternative fuel shall be exempt from both the tax imposed by this chapter and the
25 alternative fuel decal requirements of this section. **For the purposes of this section, a plug-in**
26 **electric hybrid shall be any hybrid vehicle made by a manufacturer with a model year of**
27 **2018 or newer that has not been modified from the original manufacturer specifications,**
28 **with an internal combustion engine and batteries that can be recharged by connecting a**
29 **plug to an electric power source.**

30 2. Except interstate fuel users and vehicles licensed under a reciprocity agreement as
31 defined in section 142.617, the tax imposed by section 142.803 shall not apply to motor vehicles
32 registered outside this state which are powered by alternative fuel other than **propane,**
33 compressed natural gas, and liquefied natural gas, and for which a valid temporary alternative
34 fuel decal has been acquired as provided in this section. The owners or operators of such motor
35 vehicles shall, in lieu of the tax imposed by section 142.803, pay a temporary alternative fuel
36 decal fee of eight dollars on each such vehicle. Such decals shall be valid for a period of fifteen
37 days from the date of issuance and shall be attached to the lower right-hand corner of the front
38 windshield on the motor vehicle for which it was issued. Such decal and fee shall not be
39 transferable. All proceeds from such decal fees shall be deposited as specified in section
40 142.345. Alternative fuel dealers selling such decals in accordance with rules and regulations
41 prescribed by the director shall be allowed to retain fifty cents for each decal fee timely remitted
42 to the director.

43 3. Owners or operators of passenger motor vehicles, buses as defined in section 301.010,
44 or commercial motor vehicles registered in this state which are powered by compressed natural
45 gas or liquefied natural gas who have installed a compressed natural gas fueling station or
46 liquefied natural gas fueling station used solely to fuel the motor vehicles they own or operate
47 as of December 31, 2015, may continue to apply for and use the alternative fuel decal in lieu of
48 paying the tax imposed under subdivisions (4) and (5) of subsection 1 of section 142.803.
49 Owners or operators of compressed natural gas fueling stations or liquefied natural gas fueling
50 stations whose vehicles bear an alternative fuel decal shall be prohibited from selling or

51 providing compressed natural gas or liquefied natural gas to any motor vehicle they do not own
52 or operate. Owners or operators of motor vehicles powered by compressed natural gas or
53 liquefied natural gas bearing an alternative fuel decal after January 1, 2016, that decline to renew
54 the alternative fuel decals for such motor vehicles shall no longer be eligible to apply for and use
55 alternative fuel decals under this subsection. Any compressed natural gas or liquefied natural
56 gas obtained at any fueling station not owned by the owner or operator of the motor vehicle
57 bearing an alternative fuel decal shall be subject to the tax under subdivisions (4) and (5) of
58 subsection 1 of section 142.803.

59 **4. An owner or operator of a motor vehicle powered by propane may continue to**
60 **apply for and use the alternative fuel decal in lieu of paying the tax imposed under**
61 **subdivision (6) of subsection 1 of section 142.803. If the appropriate motor fuel tax under**
62 **subdivision (6) of subsection 1 of section 142.803 is collected at the time of fueling, an**
63 **operator of a propane fueling station that uses quick-connect fueling nozzles may sell**
64 **propane as a motor fuel without verifying the application of a valid Missouri alternative**
65 **fuel decal. If an owner or operator of a motor vehicle powered by propane that bears an**
66 **alternative fuel decal refuels at an unattended propane refueling station, such owner or**
67 **operator shall not be eligible for a refund of the motor fuel tax paid at such refueling.**

68 **5.** The director shall annually, on or before January thirty-first of each year, collect or
69 cause to be collected from owners or operators of the motor vehicles specified in subsection 1
70 of this section the annual decal fee. Applications for such decals shall be supplied by the
71 department of revenue. In the case of a motor vehicle which is not in operation by January thirty-
72 first of any year, a decal may be purchased for a fractional period of such year, and the amount
73 of the decal fee shall be reduced by one-twelfth for each complete month which shall have
74 elapsed since the beginning of such year. **This subsection shall not apply to an owner or**
75 **operator of a motor vehicle powered by propane who fuels such vehicle exclusively at**
76 **unattended fueling stations that collect the motor fuel tax.**

77 ~~[5-]~~ **6.** Upon the payment of the fee required by subsection 1 of this section, the director
78 shall issue a decal, which shall be valid for the current calendar year and shall be attached to the
79 lower right-hand corner of the front windshield on the motor vehicle for which it was issued.

80 ~~[6-]~~ **7.** The decal fee paid pursuant to subsection 1 of this section for each motor vehicle
81 shall be transferable upon a change of ownership of the motor vehicle and, if the LP gas or
82 natural gas equipment is removed from a motor vehicle upon a change of ownership and is
83 reinstalled in another motor vehicle, upon such reinstallation. Such transfers shall be
84 accomplished in accordance with rules and regulations promulgated by the director.

85 ~~[7-]~~ **8.** It shall be unlawful for any person to operate a motor vehicle required to have an
86 alternative fuel decal upon the highways of this state without a valid decal **unless the motor**

87 **vehicle is exclusively fueled at propane, compressed natural gas, or liquefied natural gas**
88 **fueling stations that collect the motor fuel tax.**

89 ~~[8-]~~ **9.** No person shall cause to be put, or put, ~~[LP-gas]~~ **any alternative fuel** into the fuel
90 supply receptacle **or battery** of a motor vehicle required to have an alternative fuel decal unless
91 the motor vehicle **either** has a valid decal attached to it **or the appropriate motor fuel tax is**
92 **collected at the time of such fueling.** ~~[Sales of fuel placed in the supply receptacle of a motor~~
93 ~~vehicle displaying such decal shall be recorded upon an invoice, which invoice shall include the~~
94 ~~decal number, the motor vehicle license number and the number of gallons placed in such supply~~
95 ~~receptacle.]~~

96 ~~[9-]~~ **10.** Any person violating any provision of this section is guilty of an infraction and
97 shall, upon conviction thereof, be fined five hundred dollars.

98 ~~[10-]~~ **11.** Motor vehicles displaying a valid alternative fuel decal are exempt from the
99 licensing and reporting requirements of this chapter.

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

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

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

22 3. (1) In this chapter the term "injury" is hereby defined to be an injury which has arisen
23 out of and in the course of employment. An injury by accident is compensable only if the

24 accident was the prevailing factor in causing both the resulting medical condition and disability.
25 "The prevailing factor" is defined to be the primary factor, in relation to any other factor, causing
26 both the resulting medical condition and disability.

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

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

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

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

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

38 (5) The terms "injury" and "personal injuries" shall mean violence to the physical
39 structure of the body and to the personal property which is used to make up the physical structure
40 of the body, such as artificial dentures, artificial limbs, glass eyes, eyeglasses, and other
41 prostheses which are placed in or on the body to replace the physical structure and such disease
42 or infection as naturally results therefrom. These terms shall in no case except as specifically
43 provided in this chapter be construed to include occupational disease in any form, nor shall they
44 be construed to include any contagious or infectious disease contracted during the course of the
45 employment, nor shall they include death due to natural causes occurring while the worker is at
46 work.

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

51 5. Injuries sustained in company-owned or subsidized automobiles in accidents that
52 occur while traveling from the employee's home to the employer's principal place of business or
53 from the employer's principal place of business to the employee's home are not compensable.
54 The extension of premises doctrine is abrogated to the extent it extends liability for accidents that
55 occur on property not owned or controlled by the employer even if the accident occurs on
56 customary, approved, permitted, usual or accepted routes used by the employee to get to and
57 from their place of employment.

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

61 7. As used in this chapter and all acts amendatory thereof, the term "commission" shall
62 hereafter be construed as meaning and referring exclusively to the labor and industrial relations
63 commission of Missouri, and the term "director" shall hereafter be construed as meaning the
64 director of the department of insurance, financial institutions and professional registration of the
65 state of Missouri or such agency of government as shall exercise the powers and duties now
66 conferred and imposed upon the department of insurance, financial institutions and professional
67 registration of the state of Missouri.

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

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

73 10. In applying the provisions of this chapter, it is the intent of the legislature to reject
74 and abrogate earlier case law interpretations on the meaning of or definition of "accident",
75 "occupational disease", "arising out of", and "in the course of the employment" to include, but
76 not be limited to, holdings in: *Bennett v. Columbia Health Care and Rehabilitation*, 80 S.W.3d
77 524 (Mo.App. W.D. 2002); *Kasl v. Bristol Care, Inc.*, 984 S.W.2d 852 (Mo.banc 1999); and
78 *Drewes v. TWA*, 984 S.W.2d 512 (Mo.banc 1999) and all cases citing, interpreting, applying,
79 or following those cases.

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

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

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

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

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

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

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

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

6 (2) "Automobile transporter", any vehicle combination **capable of carrying cargo on**
7 **the power unit and** designed and used [~~specifically~~] for the transport of assembled motor
8 vehicles, **including truck camper units**;

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

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

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

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

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

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

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

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

29 ~~[(10)]~~ (11) "Director" or "director of revenue", the director of the department of revenue;

30 ~~[(11)]~~ (12) "Driveaway operation":

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

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

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

43 ~~[(12)]~~ (13) "Dromedary", a box, deck, or plate mounted behind the cab and forward of
44 the fifth wheel on the frame of the power unit of a truck tractor-semitrailer combination. A truck
45 tractor equipped with a dromedary may carry part of a load when operating independently or in
46 a combination with a semitrailer;

47 ~~[(13)]~~ (14) "Farm tractor", a tractor used exclusively for agricultural purposes;

48 ~~[(14)]~~ (15) "Fleet", any group of ten or more motor vehicles owned by the same owner;

49 ~~[(15)]~~ (16) "Fleet vehicle", a motor vehicle which is included as part of a fleet;

50 ~~[(16)]~~ **(17)** "Fullmount", a vehicle mounted completely on the frame of either the first
51 or last vehicle in a saddlemount combination;

52 ~~[(17)]~~ **(18)** "Gross weight", the weight of vehicle and/or vehicle combination without
53 load, plus the weight of any load thereon;

54 ~~[(18)]~~ **(19)** "Hail-damaged vehicle", any vehicle, the body of which has become dented
55 as the result of the impact of hail;

56 ~~[(19)]~~ **(20)** "Highway", any public thoroughfare for vehicles, including state roads,
57 county roads and public streets, avenues, boulevards, parkways or alleys in any municipality;

58 ~~[(20)]~~ **(21)** "Improved highway", a highway which has been paved with gravel,
59 macadam, concrete, brick or asphalt, or surfaced in such a manner that it shall have a hard,
60 smooth surface;

61 ~~[(21)]~~ **(22)** "Intersecting highway", any highway which joins another, whether or not it
62 crosses the same;

63 ~~[(22)]~~ **(23)** "Junk vehicle", a vehicle which:

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

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

68 ~~[(23)]~~ **(24)** "Kit vehicle", a motor vehicle assembled by a person other than a generally
69 recognized manufacturer of motor vehicles by the use of a glider kit or replica purchased from
70 an authorized manufacturer and accompanied by a manufacturer's statement of origin;

71 ~~[(24)]~~ **(25)** "Land improvement contractors' commercial motor vehicle", any not-for-hire
72 commercial motor vehicle the operation of which is confined to:

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

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

82 ~~[(25)]~~ **(26)** "Local commercial motor vehicle", a commercial motor vehicle whose
83 operations are confined solely to a municipality and that area extending not more than fifty miles
84 therefrom, or a commercial motor vehicle whose property-carrying operations are confined solely
85 to the transportation of property owned by any person who is the owner or operator of such

86 vehicle to or from a farm owned by such person or under the person's control by virtue of a
87 landlord and tenant lease; provided that any such property transported to any such farm is for use
88 in the operation of such farm;

89 ~~[(26)]~~ **(27)** "Local log truck", a commercial motor vehicle which is registered pursuant
90 to this chapter to operate as a motor vehicle on the public highways of this state, used exclusively
91 in this state, used to transport harvested forest products, operated solely at a forested site and in
92 an area extending not more than a one hundred-mile radius from such site, carries a load with
93 dimensions not in excess of twenty-five cubic yards per two axles with dual wheels, and when
94 operated on the national system of interstate and defense highways described in 23 U.S.C.
95 Section 103, as amended, such vehicle shall not exceed the weight limits of section 304.180,
96 does not have more than four axles, and does not pull a trailer which has more than two axles.
97 Harvesting equipment which is used specifically for cutting, felling, trimming, delimiting,
98 debarking, chipping, skidding, loading, unloading, and stacking may be transported on a local
99 log truck. A local log truck may not exceed the limits required by law, however, if the truck does
100 exceed such limits as determined by the inspecting officer, then notwithstanding any other
101 provisions of law to the contrary, such truck shall be subject to the weight limits required by such
102 sections as licensed for eighty thousand pounds;

103 ~~[(27)]~~ **(28)** "Local log truck tractor", a commercial motor vehicle which is registered
104 under this chapter to operate as a motor vehicle on the public highways of this state, used
105 exclusively in this state, used to transport harvested forest products, operated solely at a forested
106 site and in an area extending not more than a one hundred-mile radius from such site, operates
107 with a weight not exceeding twenty-two thousand four hundred pounds on one axle or with a
108 weight not exceeding forty-four thousand eight hundred pounds on any tandem axle, and when
109 operated on the national system of interstate and defense highways described in ~~[Title 23, Section~~
110 ~~103(e) of the United States Code]~~ **23 U.S.C. Section 103, as amended**, such vehicle does not
111 exceed the weight limits contained in section 304.180, and does not have more than three axles
112 and does not pull a trailer which has more than two axles. Violations of axle weight limitations
113 shall be subject to the load limit penalty as described for in sections 304.180 to 304.220;

114 ~~[(28)]~~ **(29)** "Local transit bus", a bus whose operations are confined wholly within a
115 municipal corporation, or wholly within a municipal corporation and a commercial zone, as
116 defined in section 390.020, adjacent thereto, forming a part of a public transportation system
117 within such municipal corporation and such municipal corporation and adjacent commercial
118 zone;

119 ~~[(29)]~~ **(30)** "Log truck", a vehicle which is not a local log truck or local log truck tractor
120 and is used exclusively to transport harvested forest products to and from forested sites which

121 is registered pursuant to this chapter to operate as a motor vehicle on the public highways of this
122 state for the transportation of harvested forest products;

123 ~~[(30)]~~ **(31)** "Major component parts", the rear clip, cowl, frame, body, cab, front-end
124 assembly, and front clip, as those terms are defined by the director of revenue pursuant to rules
125 and regulations or by illustrations;

126 ~~[(31)]~~ **(32)** "Manufacturer", any person, firm, corporation or association engaged in the
127 business of manufacturing or assembling motor vehicles, trailers or vessels for sale;

128 ~~[(32)]~~ **(33)** "Motor change vehicle", a vehicle manufactured prior to August, 1957, which
129 receives a new, rebuilt or used engine, and which used the number stamped on the original
130 engine as the vehicle identification number;

131 ~~[(33)]~~ **(34)** "Motor vehicle", any self-propelled vehicle not operated exclusively upon
132 tracks, except farm tractors;

133 ~~[(34)]~~ **(35)** "Motor vehicle primarily for business use", any vehicle other than a
134 recreational motor vehicle, motorcycle, motortricycle, or any commercial motor vehicle licensed
135 for over twelve thousand pounds:

136 (a) Offered for hire or lease; or

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

138 ~~[(35)]~~ **(36)** "Motorcycle", a motor vehicle operated on two wheels;

139 ~~[(36)]~~ **(37)** "Motorized bicycle", any two-wheeled or three-wheeled device having an
140 automatic transmission and a motor with a cylinder capacity of not more than fifty cubic
141 centimeters, which produces less than three gross brake horsepower, and is capable of propelling
142 the device at a maximum speed of not more than thirty miles per hour on level ground;

143 ~~[(37)]~~ **(38)** "Motortricycle", a motor vehicle operated on three wheels, including a
144 motorcycle while operated with any conveyance, temporary or otherwise, requiring the use of
145 a third wheel. A motortricycle shall not be included in the definition of all-terrain vehicle;

146 ~~[(38)]~~ **(39)** "Municipality", any city, town or village, whether incorporated or not;

147 ~~[(39)]~~ **(40)** "Nonresident", a resident of a state or country other than the state of Missouri;

148 ~~[(40)]~~ **(41)** "Non-USA-std motor vehicle", a motor vehicle not originally manufactured
149 in compliance with United States emissions or safety standards;

150 ~~[(41)]~~ **(42)** "Operator", any person who operates or drives a motor vehicle;

151 ~~[(42)]~~ **(43)** "Owner", any person, firm, corporation or association, who holds the legal
152 title to a vehicle or in the event a vehicle is the subject of an agreement for the conditional sale
153 or lease thereof with the right of purchase upon performance of the conditions stated in the
154 agreement and with an immediate right of possession vested in the conditional vendee or lessee,
155 or in the event a mortgagor of a vehicle is entitled to possession, then such conditional vendee
156 or lessee or mortgagor shall be deemed the owner ~~[for the purpose of this law];~~

157 [~~(43)~~] **(44)** "Public garage", a place of business where motor vehicles are housed, stored,
158 repaired, reconstructed or repainted for persons other than the owners or operators of such place
159 of business;

160 [~~(44)~~] **(45)** "Rebuilder", a business that repairs or rebuilds motor vehicles owned by the
161 rebuilder, but does not include certificated common or contract carriers of persons or property;

162 [~~(45)~~] **(46)** "Reconstructed motor vehicle", a vehicle that is altered from its original
163 construction by the addition or substitution of two or more new or used major component parts,
164 excluding motor vehicles made from all new parts, and new multistage manufactured vehicles;

165 [~~(46)~~] **(47)** "Recreational motor vehicle", any motor vehicle designed, constructed or
166 substantially modified so that it may be used and is used for the purposes of temporary housing
167 quarters, including therein sleeping and eating facilities which are either permanently attached
168 to the motor vehicle or attached to a unit which is securely attached to the motor vehicle.
169 Nothing herein shall prevent any motor vehicle from being registered as a commercial motor
170 vehicle if the motor vehicle could otherwise be so registered;

171 [~~(47)~~] **(48)** "Recreational off-highway vehicle", any motorized vehicle manufactured and
172 used exclusively for off-highway use which is more than fifty inches but no more than sixty-
173 seven inches in width, with an unladen dry weight of two thousand pounds or less, traveling on
174 four or more nonhighway tires and which may have access to ATV trails;

175 [~~(48)~~] **(49)** "Rollback or car carrier", any vehicle specifically designed to transport
176 wrecked, disabled or otherwise inoperable vehicles, when the transportation is directly connected
177 to a wrecker or towing service;

178 [~~(49)~~] **(50)** "Saddlemount combination", a combination of vehicles in which a truck or
179 truck tractor tows one or more trucks or truck tractors, each connected by a saddle to the frame
180 or fifth wheel of the vehicle in front of it. The "saddle" is a mechanism that connects the front
181 axle of the towed vehicle to the frame or fifth wheel of the vehicle in front and functions like a
182 fifth wheel kingpin connection. When two vehicles are towed in this manner the combination
183 is called a "double saddlemount combination". When three vehicles are towed in this manner,
184 the combination is called a "triple saddlemount combination";

185 [~~(50)~~] **(51)** "Salvage dealer and dismantler", a business that dismantles used motor
186 vehicles for the sale of the parts thereof, and buys and sells used motor vehicle parts and
187 accessories;

188 [~~(51)~~] **(52)** "Salvage vehicle", a motor vehicle, semitrailer, or house trailer which:

189 (a) Was damaged during a year that is no more than six years after the manufacturer's
190 model year designation for such vehicle to the extent that the total cost of repairs to rebuild or
191 reconstruct the vehicle to its condition immediately before it was damaged for legal operation

192 on the roads or highways exceeds eighty percent of the fair market value of the vehicle
193 immediately preceding the time it was damaged;

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

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

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

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

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

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

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

214 ~~[(52)]~~ **(53)** "School bus", any motor vehicle used solely to transport students to or from
215 school or to transport students to or from any place for educational purposes;

216 ~~[(53)]~~ **(54)** "Scrap processor", a business that, through the use of fixed or mobile
217 equipment, flattens, crushes, or otherwise accepts motor vehicles and vehicle parts for processing
218 or transportation to a shredder or scrap metal operator for recycling;

219 ~~[(54)]~~ **(55)** "Shuttle bus", a motor vehicle used or maintained by any person, firm, or
220 corporation as an incidental service to transport patrons or customers of the regular business of
221 such person, firm, or corporation to and from the place of business of the person, firm, or
222 corporation providing the service at no fee or charge. Shuttle buses shall not be registered as
223 buses or as commercial motor vehicles;

224 ~~[(55)]~~ **(56)** "Special mobile equipment", every self-propelled vehicle not designed or
225 used primarily for the transportation of persons or property and incidentally operated or moved
226 over the highways, including farm equipment, implements of husbandry, road construction or
227 maintenance machinery, ditch-digging apparatus, stone crushers, air compressors, power shovels,

228 cranes, graders, rollers, well-drillers and wood-sawing equipment used for hire, asphalt
229 spreaders, bituminous mixers, bucket loaders, ditchers, leveling graders, finished machines,
230 motor graders, road rollers, scarifiers, earth-moving carryalls, scrapers, drag lines, concrete pump
231 trucks, rock-drilling and earth-moving equipment. This enumeration shall be deemed partial and
232 shall not operate to exclude other such vehicles which are within the general terms of this
233 section;

234 ~~[(56)]~~ **(57)** "Specially constructed motor vehicle", a motor vehicle which shall not have
235 been originally constructed under a distinctive name, make, model or type by a manufacturer of
236 motor vehicles. The term specially constructed motor vehicle includes kit vehicles;

237 ~~[(57)]~~ **(58)** "Stinger-steered combination", a truck tractor-semitrailer wherein the fifth
238 wheel is located on a drop frame located behind and below the rearmost axle of the power unit;

239 ~~[(58)]~~ **(59)** "Tandem axle", a group of two or more axles, arranged one behind another,
240 the distance between the extremes of which is more than forty inches and not more than ninety-
241 six inches apart;

242 **(60) "Towaway trailer transporter combination", a combination of vehicles**
243 **consisting of a trailer transporter towing unit and two trailers or semitrailers, with a total**
244 **weight that does not exceed twenty-six thousand pounds; and in which the trailers or**
245 **semitrailers carry no property and constitute inventory property of a manufacturer,**
246 **distributor, or dealer of such trailers or semitrailers;**

247 ~~[(59)]~~ **(61)** "Tractor", "truck tractor" or "truck-tractor", a self-propelled motor vehicle
248 designed for drawing other vehicles, but not for the carriage of any load when operating
249 independently. When attached to a semitrailer, it supports a part of the weight thereof;

250 ~~[(60)]~~ **(62)** "Trailer", any vehicle without motive power designed for carrying property
251 or passengers on its own structure and for being drawn by a self-propelled vehicle, except those
252 running exclusively on tracks, including a semitrailer or vehicle of the trailer type so designed
253 and used in conjunction with a self-propelled vehicle that a considerable part of its own weight
254 rests upon and is carried by the towing vehicle. The term trailer shall not include cotton trailers
255 as defined in ~~[subdivision (8) of]~~ this section and shall not include manufactured homes as
256 defined in section 700.010;

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

259 ~~[(61)]~~ **(64)** "Truck", a motor vehicle designed, used, or maintained for the transportation
260 of property;

261 ~~[(62)]~~ **(65)** "Truck-tractor semitrailer-semitrailer", a combination vehicle in which the
262 two trailing units are connected with a B-train assembly which is a rigid frame extension
263 attached to the rear frame of a first semitrailer which allows for a fifth-wheel connection point

264 for the second semitrailer and has one less articulation point than the conventional A-dolly
265 connected truck-tractor semitrailer-trailer combination;

266 ~~[(63)]~~ **(66)** "Truck-trailer boat transporter combination", a boat transporter combination
267 consisting of a straight truck towing a trailer using typically a ball and socket connection with
268 the trailer axle located substantially at the trailer center of gravity rather than the rear of the
269 trailer but so as to maintain a downward force on the trailer tongue;

270 ~~[(64)]~~ **(67)** "Used parts dealer", a business that buys and sells used motor vehicle parts
271 or accessories, but not including a business that sells only new, remanufactured or rebuilt parts.
272 Business does not include isolated sales at a swap meet of less than three days;

273 ~~[(65)]~~ **(68)** "Utility vehicle", any motorized vehicle manufactured and used exclusively
274 for off-highway use which is more than fifty inches but no more than sixty-seven inches in width,
275 with an unladen dry weight of two thousand pounds or less, traveling on four or six wheels, to
276 be used primarily for landscaping, lawn care, or maintenance purposes;

277 ~~[(66)]~~ **(69)** "Vanpool", any van or other motor vehicle used or maintained by any person,
278 group, firm, corporation, association, city, county or state agency, or any member thereof, for the
279 transportation of not less than eight nor more than forty-eight employees, per motor vehicle, to
280 and from their place of employment; however, a vanpool shall not be included in the definition
281 of the term bus or commercial motor vehicle as defined ~~[by subdivisions (6) and (7) of]~~ in this
282 section, nor shall a vanpool driver be deemed a chauffeur as that term is defined by section
283 303.020; nor shall use of a vanpool vehicle for ride-sharing arrangements, recreational, personal,
284 or maintenance uses constitute an unlicensed use of the motor vehicle, unless used for monetary
285 profit other than for use in a ride-sharing arrangement;

286 ~~[(67)]~~ **(70)** "Vehicle", any mechanical device on wheels, designed primarily for use, or
287 used, on highways, except motorized bicycles, vehicles propelled or drawn by horses or human
288 power, or vehicles used exclusively on fixed rails or tracks, or cotton trailers or motorized
289 wheelchairs operated by handicapped persons;

290 ~~[(68)]~~ **(71)** "Wrecker" or "tow truck", any emergency commercial vehicle equipped,
291 designed and used to assist or render aid and transport or tow disabled or wrecked vehicles from
292 a highway, road, street or highway rights-of-way to a point of storage or repair, including towing
293 a replacement vehicle to replace a disabled or wrecked vehicle;

294 ~~[(69)]~~ **(72)** "Wrecker or towing service", the act of transporting, towing or recovering
295 with a wrecker, tow truck, rollback or car carrier any vehicle not owned by the operator of the
296 wrecker, tow truck, rollback or car carrier for which the operator directly or indirectly receives
297 compensation or other personal gain.

301.031. Notwithstanding the twenty-five mile operations limit imposed in ~~[subdivision~~
2 ~~(24) of]~~ section 301.010 upon local commercial motor vehicles, a local commercial motor

3 vehicle licensed for forty-eight thousand pounds gross weight and above may be used to haul
4 solid waste as defined in section 260.200 up to sixty miles from the municipality in which its
5 operations are otherwise confined and still be eligible to register as a local commercial motor
6 vehicle.

301.213. 1. Notwithstanding the provisions of sections 301.200 and 301.210, any person
2 licensed as a motor vehicle dealer under sections 301.550 to 301.580 that has provided to the
3 director of revenue a surety bond or irrevocable letter of credit in an amount not less than one
4 hundred thousand dollars in a form which complies with the requirements of section 301.560 and
5 in lieu of the [~~twenty-five~~] **fifty** thousand dollar bond otherwise required for licensure as a motor
6 vehicle dealer shall be authorized to purchase or accept in trade any motor vehicle for which
7 there has been issued a certificate of ownership, and to receive such vehicle subject to any
8 existing liens thereon created and perfected under sections 301.600 to 301.660 provided the
9 licensed dealer receives the following:

10 (1) A signed written contract between the licensed dealer and the owner of the vehicle
11 outlining the terms of the sale or acceptance in trade of such motor vehicle without transfer of
12 the certificate of ownership; and

13 (2) Physical delivery of the vehicle to the licensed dealer; and

14 (3) A power of attorney from the owner to the licensed dealer, in accordance with
15 subsection 4 of section 301.300, authorizing the licensed dealer to obtain a duplicate or
16 replacement title in the owner's name and sign any title assignments on the owner's behalf.

17 2. If the dealer complies with the requirements of subsection 1 of this section, the sale
18 or trade of the vehicle to the dealer shall be considered final, subject to any existing liens created
19 and perfected under sections 301.600 to 301.660. Once the prior owner of the motor vehicle has
20 physically delivered the motor vehicle to the licensed dealer, the prior owners' insurable interest
21 in such vehicle shall cease to exist.

22 3. If a licensed dealer complies with the requirements of subsection 1 of this section, and
23 such dealer has provided to the director of revenue a surety bond or irrevocable letter of credit
24 in amount not less than one hundred thousand dollars in a form which complies with the
25 requirements of section 301.560 and in lieu of the [~~twenty-five~~] **fifty** thousand dollar bond
26 otherwise required for licensure as a motor vehicle dealer, such dealer may sell such vehicle prior
27 to receiving and assigning to the purchaser the certificate of ownership, provided such dealer
28 complies with the following:

29 (1) All outstanding liens created on the vehicle pursuant to sections 301.600 to 301.660
30 have been paid in full, and the dealer provides a copy of proof or other evidence to the purchaser;
31 and

32 (2) The dealer has obtained proof or other evidence from the department of revenue
33 confirming that no outstanding child support liens exist upon the vehicle at the time of sale and
34 provides a copy of said proof or other evidence to the purchaser; and

35 (3) The dealer has obtained proof or other evidence from the department of revenue
36 confirming that all applicable state sales tax has been satisfied on the sale of the vehicle to the
37 previous owner and provides a copy of said proof or other evidence to the purchaser; and

38 (4) The dealer has signed an application for duplicate or replacement title for the vehicle
39 under subsection 4 of section 301.300 and provides a copy of the application to the purchaser,
40 along with a copy of the power of attorney required by subsection 1 of this section, and the dealer
41 has prepared and delivered to the purchaser an application for title for the vehicle in the
42 purchaser's name; and

43 (5) The dealer and the purchaser have entered into a written agreement for the
44 subsequent assignment and delivery of such certificate of ownership, on a form prescribed by the
45 director of revenue, to take place at a time, not to exceed sixty calendar days, after the time of
46 delivery of the motor vehicle to the purchaser. Such agreement shall require the purchaser to
47 provide to the dealer proof of financial responsibility in accordance with chapter 303 and proof
48 of comprehensive and collision coverage on the motor vehicle. Such dealer shall maintain the
49 original or an electronic copy of the signed agreement and deliver a copy of the signed agreement
50 to the purchaser. Such dealer shall also complete and deliver to the director of revenue such
51 form as the director shall prescribe demonstrating that the purchaser has purchased the vehicle
52 without contemporaneous delivery of the title.

53

54 Notwithstanding any provision of law to the contrary, completion of the requirements of this
55 subsection shall constitute prima facie evidence of an ownership interest vested in the purchaser
56 of the vehicle for all purposes other than for a subsequent transfer of ownership of the vehicle
57 by the purchaser, subject to the rights of any secured lienholder of record; however, the purchaser
58 may use the dealer-supplied copy of the agreement to transfer his or her ownership of the vehicle
59 to an insurance company in situations where the vehicle has been declared salvage or a total loss
60 by the insurance company as a result of a settlement of a claim. Such insurance company may
61 apply for a salvage certificate of title or junking certificate pursuant to the provisions of
62 subsection 3 of section 301.193 in order to transfer its interest in such vehicle. The purchaser
63 may also use the dealer-supplied copy of the agreement on the form prescribed by the director
64 of revenue as proof of ownership interest. Any lender or insurance company may rely upon a
65 copy of the signed written agreement on the form prescribed by the director of revenue as proof
66 of ownership interest. Any lien placed upon a vehicle based upon such signed written agreement
67 shall be valid and enforceable, notwithstanding the absence of a certificate of ownership.

68 4. Following a sale or other transaction in which a certificate of ownership has not been
69 assigned from the owner to the licensed dealer, the dealer shall, within ten business days, apply
70 for a duplicate or replacement certificate of ownership. Upon receipt of a duplicate or
71 replacement certificate of ownership applied for under subsection 4 of section 301.300, the
72 dealer shall assign and deliver said certificate of ownership to the purchaser of the vehicle within
73 five business days. The dealer shall maintain proof of the assignment and delivery of the
74 certificate of ownership to the purchaser. For purposes of this subsection, a dealer shall be
75 deemed to have delivered the certificate of ownership to the purchaser upon either:

76 (1) Physical delivery of the certificate of ownership to any of the purchasers identified
77 in the contract with such dealer; or

78 (2) Mailing of the certificate, postage prepaid, return receipt requested, to any of the
79 purchasers at any of their addresses identified in the contract with such dealer.

80 5. If a licensed dealer fails to comply with subsection 3 of this section, and the purchaser
81 of the vehicle is thereby damaged, then the dealer shall be liable to the purchaser of the vehicle
82 for actual damages, plus court costs and reasonable attorney fees.

83 6. If a licensed dealer fails or is unable to comply with subsection 4 of this section, and
84 the purchaser of the vehicle is thereby damaged, then the dealer shall be liable to the purchaser
85 of the vehicle for actual damages, plus court costs and reasonable attorney fees. If the dealer
86 cannot be found by the purchaser after making reasonable attempts, or if the dealer fails to assign
87 and deliver the duplicate or replacement certificate of ownership to the purchaser by the date
88 agreed upon by the dealer and the purchaser, as required by subsection 4 of this section, then the
89 purchaser may deliver to the director a copy of the contract for sale of the vehicle, a copy of the
90 application for duplicate title provided by the dealer to the purchaser, a copy of the secure power
91 of attorney allowing the dealer to assign the duplicate title, and the proof or other evidence
92 obtained by the purchaser from the dealer under subsection 3 of this section. Thereafter, the
93 director shall mail by certified mail, return receipt requested, a notice to the dealer at the last
94 address given to the department by that dealer. That notice shall inform the dealer that the
95 director intends to cancel any prior certificate of title which may have been issued to the dealer
96 on the vehicle and issue to the purchaser a certificate of title in the name of the purchaser, subject
97 to any liens incurred by the purchaser in connection with the purchase of the vehicle, unless the
98 dealer, within ten business days from the date of the director's notice, files with the director a
99 written objection to the director taking such action. If the dealer does file a timely, written
100 objection with the director, then the director shall not take any further action without an order
101 from a court of competent jurisdiction. However, if the dealer does not file a timely, written
102 objection with the director, then the director shall cancel the prior certificate of title issued to the
103 dealer on the vehicle and issue a certificate of title to the purchaser of the vehicle, subject to any

104 liens incurred by the purchaser in connection with the purchase of the vehicle and subject to the
105 purchaser satisfying all applicable taxes and fees associated with registering the vehicle.

106 7. If a seller misrepresents to a dealer that the seller is the owner of a vehicle and the
107 dealer, the owner, any subsequent purchaser, or any prior or subsequent lienholder is thereby
108 damaged, then the seller shall be liable to each such party for actual and punitive damages, plus
109 court costs and reasonable attorney fees.

110 8. When a lienholder is damaged as a result of a licensed dealer's acts, errors, omissions,
111 or violations of this section, then the dealer shall be liable to the lienholder for actual damages,
112 plus court costs and reasonable attorney fees.

113 9. No court costs or attorney fees shall be awarded under this section unless, prior to
114 filing any such action, the following conditions have been met:

115 (1) The aggrieved party seeking damages has delivered an itemized written demand of
116 the party's actual damages to the party from whom damages are sought; and

117 (2) The party from whom damages are sought has not satisfied the written demand
118 within thirty days after receipt of the written demand.

119 10. The department of revenue may use a dealer's repeated or intentional violation of this
120 section as a cause to suspend, revoke, or refuse to issue or renew any license required pursuant
121 to sections 301.550 to 301.580, in addition to the causes set forth in section 301.562. The
122 hearing process shall be the same as that established in subsection 6 of section 301.562.

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

14 2. Whenever a vehicle is classified as "junk", as defined in section 301.010, the
15 purchaser may forward to the director of revenue a properly completed application for a junking
16 certificate as well as the salvage certificate of title or certificate of ownership and the director
17 shall issue a negotiable junking certificate to the purchaser of the vehicle. The director may also

18 issue a junking certificate to a possessor of a vehicle manufactured twenty-six years or more
19 prior to the current model year who has a bill of sale for said vehicle but does not possess a
20 certificate of ownership, provided no claim of theft has been made on the vehicle and the
21 highway patrol has by letter stated the vehicle is not listed as stolen after checking the
22 registration number through its nationwide computer system. Such junking certificate may be
23 granted within thirty days of the submission of a request. A junking certificate shall authorize
24 the holder to possess, transport, or, by assignment, transfer ownership in such parts, scrap, or
25 junk.

26 3. For any vehicle issued a junking certificate or such similar document or classification
27 pursuant to the laws of another state, regardless of whether such designation has been
28 subsequently changed by law in any other state, the department shall only issue a junking
29 certificate, and a salvage certificate of title or original certificate of ownership shall not thereafter
30 be issued for such vehicle. Notwithstanding the provisions of this subsection, if the vehicle has
31 not previously been classified as a junk vehicle, the applicant making the original junking
32 certification application shall, within ninety days, be allowed to rescind his application for a
33 junking certificate by surrendering the junking certificate and apply for a salvage certificate of
34 title in his name. The seller of a vehicle for which a junking certificate has been applied for or
35 issued shall disclose such fact in writing to any prospective buyers before sale of such vehicle;
36 otherwise the sale shall be voidable at the option of the buyer.

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

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

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

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

50 8. Notwithstanding the provisions of subsection 1 of this section, an insurance company
51 which settles a claim for a stolen vehicle may apply for and shall be issued a negotiable salvage
52 certificate of title without the payment of any fee upon proper application within thirty days after
53 settlement of the claim for such stolen vehicle. However, if the insurance company upon

54 recovery of a stolen vehicle determines that the stolen vehicle has not sustained damage to the
55 extent that the vehicle would have otherwise been declared a salvage vehicle pursuant to
56 ~~[subdivision (51) of]~~ section 301.010, then the insurance company may have the vehicle
57 inspected by the Missouri state highway patrol, or other law enforcement agency authorized by
58 the director of revenue, in accordance with the inspection provisions of subsection 9 of section
59 301.190. Upon receipt of title application, applicable fee, the completed inspection, and the
60 return of any previously issued negotiable salvage certificate, the director shall issue an original
61 title with no salvage or prior salvage designation. Upon the issuance of an original title the
62 director shall remove any indication of the negotiable salvage title previously issued to the
63 insurance company from the department's electronic records.

64 9. Notwithstanding subsection 4 of this section or any other provision of the law to the
65 contrary, if a motor vehicle is inoperable and is at least ten model years old, or the parts are from
66 a motor vehicle that is inoperable and is at least ten model years old, a scrap metal operator may
67 purchase or acquire such motor vehicle or parts without receiving the original certificate of
68 ownership, salvage certificate of title, or junking certificate from the seller of the vehicle or parts,
69 provided the scrap metal operator verifies with the department of revenue, via the department's
70 online record access, that the motor vehicle is not subject to any recorded security interest or lien
71 and the scrap metal operator complies with the requirements of this subsection. In lieu of
72 forwarding certificates of title or ownership for such motor vehicles as required by subsection
73 5 of this section, the scrap metal operator shall forward a copy of the seller's state identification
74 **card** along with a bill of sale to the department of revenue. The bill of sale form shall be
75 designed by the director and such form shall include, but not be limited to, a certification that
76 the motor vehicle is at least ten model years old, is inoperable, is not subject to any recorded
77 security interest or lien, and a certification by the seller that the seller has the legal authority to
78 sell or otherwise transfer the seller's interest in the motor vehicle or parts. Upon receipt of the
79 information required by this subsection, the department of revenue shall cancel any certificate
80 of title or ownership and registration for the motor vehicle. If the motor vehicle is inoperable
81 and at least twenty model years old, then the scrap metal operator shall not be required to verify
82 with the department of revenue whether the motor vehicle is subject to any recorded security
83 interests or liens. As used in this subsection, the term "inoperable" means a motor vehicle that
84 is in a rusted, wrecked, discarded, worn out, extensively damaged, dismantled, and mechanically
85 inoperative condition and the vehicle's highest and best use is for scrap purposes. The director
86 of the department of revenue is directed to promulgate rules and regulations to implement and
87 administer the provisions of this section, including but not limited to, the development of a
88 uniform bill of sale. Any rule or portion of a rule, as that term is defined in section 536.010, that
89 is created under the authority delegated in this section shall become effective only if it complies

90 with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028.
91 This section and chapter 536 are nonseverable and if any of the powers vested with the general
92 assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and
93 annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and
94 any rule proposed or adopted after August 28, 2012, shall be invalid and void.

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

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

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

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

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

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

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

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

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

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

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

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

33 (8) "Motor vehicle dealer" or "dealer", any person who, for commission or with an intent
34 to make a profit or gain of money or other thing of value, sells, barter, exchanges, leases or rents
35 with the option to purchase, or who offers or attempts to sell or negotiates the sale of motor
36 vehicles or trailers whether or not the motor vehicles or trailers are owned by such person;
37 provided, however, an individual auctioneer or auction conducted by an auctioneer licensed
38 pursuant to chapter 343 shall not be included within the definition of a motor vehicle dealer. The
39 sale of six or more motor vehicles or trailers in any calendar year shall be required as evidence
40 that such person is engaged in the motor vehicle business and is eligible for licensure as a motor
41 vehicle dealer under sections 301.550 to 301.573. Any motor vehicle dealer licensed before
42 August 28, 2007, shall be required to meet the minimum calendar year sales of six or more motor
43 vehicles provided the dealer can prove the business achieved, cumulatively, six or more sales per
44 year for the preceding twenty-four months in business; or if the dealer has not been in business
45 for twenty-four months, the cumulative equivalent of one sale every two months for the months
46 the dealer has been in business before August 28, 2007. Any licensed motor vehicle dealer
47 failing to meet the minimum vehicle sales requirements as referenced in this subsection shall not
48 be qualified to renew his or her license for one year. Applicants who reapply after the one-year
49 period shall meet the requirement of six sales per year;

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

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

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

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

65 (13) "Public motor vehicle auction", any person, firm or corporation who takes
66 possession of a motor vehicle whether by consignment, bailment or any other arrangement,

67 except by title, for the purpose of selling motor vehicles at a public auction by a licensed
68 auctioneer;

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

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

75 (16) "Trailer dealer", any person selling, either exclusively or otherwise, trailers as
76 defined in ~~[subdivision (6) of]~~ section 301.010. A trailer dealer may acquire a motor vehicle
77 for resale only as a trade-in for a trailer. Notwithstanding the provisions of ~~[subdivision (11) of]~~
78 section 301.010 and section 301.069, trailer dealers may purchase one driveaway license plate
79 to display such motor vehicle for demonstration purposes. The sale of six or more trailers in any
80 calendar year shall be required as evidence that such person is engaged in the trailer business and
81 is eligible for licensure as a trailer dealer under sections 301.550 to 301.573. Any trailer dealer
82 licensed before August 28, 2007, shall be required to meet the minimum calendar year sales of
83 six or more trailers provided the dealer can prove the business achieved, cumulatively, six or
84 more sales per year for the preceding twenty-four months in business; or if the dealer has not
85 been in business for twenty-four months, the cumulative equivalent of one sale every two months
86 for the months the dealer has been in business before August 28, 2007. Any licensed trailer
87 dealer failing to meet the minimum trailer and vehicle sales requirements as referenced in this
88 subsection shall not be qualified to renew his or her license for one year. Applicants who reapply
89 after the one-year period shall meet the requirement of six sales per year;

90 (17) "Used motor vehicle", any motor vehicle which is not a new motor vehicle, as
91 defined in sections 301.550 to 301.573, and which has been sold, bartered, exchanged or given
92 away or which may have had a title issued in this state or any other state, or a motor vehicle so
93 used as to be what is commonly known as a secondhand motor vehicle. In the event of an
94 assignment of the statement of origin from an original franchise dealer to any individual or other
95 motor vehicle dealer other than a new motor vehicle franchise dealer of the same make, the
96 vehicle so assigned shall be deemed to be a used motor vehicle and a certificate of ownership
97 shall be obtained in the assignee's name. The term "used motor vehicle" shall not include
98 manufactured homes, as defined in section 700.010;

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

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

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

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

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

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

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

- 117 (1) Boat dealers;
- 118 (2) Franchised new motor vehicle dealers;
- 119 (3) Used motor vehicle dealers;
- 120 (4) Wholesale motor vehicle dealers;
- 121 (5) Recreational motor vehicle dealers;
- 122 (6) Historic motor vehicle dealers;
- 123 (7) Classic motor vehicle dealers;
- 124 (8) Powersport dealers; and
- 125 (9) Trailer dealers.

301.559. 1. It shall be unlawful for any person to engage in business as or act as a motor
2 vehicle dealer, boat dealer, manufacturer, boat manufacturer, public motor vehicle auction,
3 wholesale motor vehicle auction or wholesale motor vehicle dealer without first obtaining a
4 license from the department as required in sections 301.550 to ~~301.573~~ **301.580**. Any person
5 who maintains or operates any business wherein a license is required pursuant to the provisions
6 of sections 301.550 to ~~301.573~~ **301.580**, without such license, is guilty of a class A
7 misdemeanor. Any person committing a second violation of sections 301.550 to ~~301.573~~
8 **301.580** shall be guilty of a class E felony.

9 2. All dealer licenses shall expire on December thirty-first of the designated license
10 period. The department shall notify each person licensed under sections 301.550 to ~~301.573~~
11 **301.580** of the date of license expiration and the amount of the fee required for renewal. The
12 notice shall be mailed at least ninety days before the date of license expiration to the licensee's

13 last known business address. The director shall have the authority to issue licenses valid for a
14 period of up to two years and to stagger the license periods for administrative efficiency and
15 equalization of workload, at the sole discretion of the director.

16 3. Every manufacturer, boat manufacturer, motor vehicle dealer, wholesale motor vehicle
17 dealer, wholesale motor vehicle auction, boat dealer or public motor vehicle auction shall make
18 application to the department for issuance of a license. The application shall be on forms
19 prescribed by the department and shall be issued under the terms and provisions of sections
20 301.550 to ~~[301.573]~~ **301.580** and require all applicants, as a condition precedent to the issuance
21 of a license, to provide such information as the department may deem necessary to determine that
22 the applicant is bona fide and of good moral character, except that every application for a license
23 shall contain, in addition to such information as the department may require, a statement to the
24 following facts:

25 (1) The name and business address, not a post office box, of the applicant and the
26 fictitious name, if any, under which ~~[he]~~ **the applicant** intends to conduct ~~[his]~~ business~~[-and]~~
27 **, the applicant's regular business hours, and a phone number and email address where the**
28 **applicant may be contacted during regular business hours.** If the applicant ~~[be]~~ is a
29 partnership, **the applicant shall list** the name and residence address of each partner, ~~[an~~
30 ~~indication of]~~ **indicate** whether the partner is a limited or general partner, and the name under
31 which the partnership business is to be conducted. In the event that the applicant is a
32 corporation, the application shall list the names of the principal officers of the corporation and
33 the state in which it is incorporated. **In the event that the applicant is a limited liability**
34 **company established under the Missouri limited liability company act, or other similar act**
35 **of another state, the application shall list the name and residence address of all members**
36 **and managers of the limited liability company and the state in which the limited liability**
37 **company is headquartered.** Each application shall be verified by the oath or affirmation of the
38 applicant, if an individual, or in the event an applicant is a partnership, ~~[or]~~ corporation, **or**
39 **limited liability company**, then by a partner, ~~[or]~~ officer, **or member**;

40 (2) Whether the application is being made for registration as a manufacturer, boat
41 manufacturer, new motor vehicle franchise dealer, used motor vehicle dealer, wholesale motor
42 vehicle dealer, boat dealer, wholesale motor vehicle auction or a public motor vehicle auction;

43 (3) When the application is for a new motor vehicle franchise dealer, the application
44 shall be accompanied by a copy of the franchise agreement in the registered name of the
45 dealership setting out the appointment of the applicant as a franchise holder and it shall be signed
46 by the manufacturer, or his authorized agent, or the distributor, or his authorized agent, and shall
47 include a description of the make of all motor vehicles covered by the franchise. The department
48 shall not require a copy of the franchise agreement to be submitted with each renewal application

49 unless the applicant is now the holder of a franchise from a different manufacturer or distributor
50 from that previously filed, or unless a new term of agreement has been entered into;

51 (4) When the application is for a public motor vehicle auction, that the public motor
52 vehicle auction has met the requirements of section 301.561.

53 4. No insurance company, finance company, credit union, savings and loan association,
54 bank or trust company shall be required to obtain a license from the department in order to sell
55 any motor vehicle, trailer or vessel repossessed or purchased by the company on the basis of total
56 destruction or theft thereof when the sale of the motor vehicle, trailer or vessel is in conformance
57 with applicable title and registration laws of this state.

58 5. No person shall be issued a license to conduct a public motor vehicle auction or
59 wholesale motor vehicle auction if such person has a violation of sections 301.550 to ~~301.573~~
60 **301.580** or other violations of chapter 301, sections 407.511 to 407.556, or section 578.120
61 which resulted in a felony conviction or finding of guilt or a violation of any federal motor
62 vehicle laws which resulted in a felony conviction or finding of guilt.

301.560. 1. In addition to the application forms prescribed by the department, each
2 applicant shall submit the following to the department:

3 (1) Every application other than a renewal application for a **new** motor vehicle franchise
4 dealer shall include a certification that the applicant has a bona fide established place of business.
5 Such application shall include ~~[an annual]~~ certification that the applicant has a bona fide
6 established place of business for the first three years and only for every other year thereafter. The
7 certification shall be performed by a uniformed member of the Missouri state highway patrol or
8 authorized or designated employee stationed in the troop area in which the applicant's place of
9 business is located **or, in the discretion of the director, may be performed by an employee**
10 **of the department**; except that in counties of the first classification, certification may be
11 performed by an officer of a metropolitan police department when the applicant's established
12 place of business of distributing or selling motor vehicles or trailers is in the metropolitan area
13 where the certifying metropolitan police officer is employed. When the application is being
14 made for licensure as a boat manufacturer or boat dealer, certification shall be performed by a
15 uniformed member of the Missouri state water patrol stationed in the district area in which the
16 applicant's place of business is located or by a uniformed member of the Missouri state highway
17 patrol stationed in the troop area in which the applicant's place of business is located or, if the
18 applicant's place of business is located within the jurisdiction of a metropolitan police
19 department in a first class county, by an officer of such metropolitan police department. A bona
20 fide established place of business for any new motor vehicle franchise dealer, used motor vehicle
21 dealer, boat dealer, powersport dealer, wholesale motor vehicle dealer, trailer dealer, or
22 wholesale or public auction shall be a permanent enclosed building or structure, either owned

23 in fee or leased and actually occupied as a place of business by the applicant for the selling,
24 bartering, trading, servicing, or exchanging of motor vehicles, boats, personal watercraft, or
25 trailers and wherein the public may contact the owner or operator at any reasonable time, and
26 wherein shall be kept and maintained the books, records, files and other matters required and
27 necessary to conduct the business. The applicant's place of business shall ~~contain~~ **have** a
28 working telephone **number** which shall be maintained during the entire registration year **and**
29 **which shall allow the public, the department, and law enforcement to contact the applicant**
30 **during regular business hours. The applicant's place of business shall also maintain an**
31 **email address that may be used for official correspondence with the department.** In order
32 to qualify as a bona fide established place of business for all applicants licensed pursuant to this
33 section there shall be an exterior sign displayed carrying the name of the business set forth in
34 letters at least six inches in height and clearly visible to the public and there shall be an area or
35 lot which shall not be a public street on which multiple vehicles, boats, personal watercraft, or
36 trailers may be displayed. The sign shall contain the name of the dealership by which it is known
37 to the public through advertising or otherwise, which need not be identical to the name appearing
38 on the dealership's license so long as such name is registered as a fictitious name with the
39 secretary of state, has been approved by its line-make manufacturer in writing in the case of a
40 new motor vehicle franchise dealer and a copy of such fictitious name registration has been
41 provided to the department. Dealers who sell only emergency vehicles as defined in section
42 301.550 are exempt from maintaining a bona fide place of business, including the related law
43 enforcement certification requirements, and from meeting the minimum yearly sales;

44 (2) The initial application for licensure shall include a **photograph or photographs**, not
45 to exceed eight inches by ten inches but no less than five inches by seven inches, showing the
46 business building, lot, and sign. A new motor vehicle franchise dealer applicant who has
47 purchased a currently licensed new motor vehicle franchised dealership shall be allowed to
48 submit a photograph of the existing dealership building, lot and sign but shall be required to
49 submit a new photograph upon the installation of the new dealership sign as required by sections
50 301.550 to ~~[301.573]~~ **301.580**. Applicants shall not be required to submit a photograph annually
51 unless the business has moved from its previously licensed location, or unless the name of the
52 business or address has changed, or unless the class of business has changed;

53 (3) Every applicant as a new motor vehicle franchise dealer, a used motor vehicle dealer,
54 a powersport dealer, a wholesale motor vehicle dealer, trailer dealer, or boat dealer shall furnish
55 with the application a corporate surety bond or an irrevocable letter of credit as defined in section
56 400.5-102, issued by any state or federal financial institution in the penal sum of ~~[twenty-five]~~
57 **fifty** thousand dollars on a form approved by the department. The bond or irrevocable letter of
58 credit shall be conditioned upon the dealer complying with the provisions of the statutes

59 applicable to new motor vehicle franchise dealers, used motor vehicle dealers, powersport
60 dealers, wholesale motor vehicle dealers, trailer dealers, and boat dealers, and the bond shall be
61 an indemnity for any loss sustained by reason of the acts of the person bonded when such acts
62 constitute grounds for the suspension or revocation of the dealer's license. The bond shall be
63 executed in the name of the state of Missouri for the benefit of all aggrieved parties or the
64 irrevocable letter of credit shall name the state of Missouri as the beneficiary; except, that the
65 aggregate liability of the surety or financial institution to the aggrieved parties shall, in no event,
66 exceed the amount of the bond or irrevocable letter of credit. The proceeds of the bond or
67 irrevocable letter of credit shall be paid upon receipt by the department of a final judgment from
68 a Missouri court of competent jurisdiction against the principal and in favor of an aggrieved
69 party. Additionally, every applicant as a new motor vehicle franchise dealer, a used motor
70 vehicle dealer, a powersport dealer, a wholesale motor vehicle dealer, or boat dealer shall furnish
71 with the application a copy of a current dealer garage policy bearing the policy number and name
72 of the insurer and the insured;

73 (4) Payment of all necessary license fees as established by the department. In
74 establishing the amount of the annual license fees, the department shall, as near as possible,
75 produce sufficient total income to offset operational expenses of the department relating to the
76 administration of sections 301.550 to 301.580. All fees payable pursuant to the provisions of
77 sections 301.550 to 301.580, other than those fees collected for the issuance of dealer plates or
78 certificates of number collected pursuant to subsection 6 of this section, shall be collected by the
79 department for deposit in the state treasury to the credit of the "Motor Vehicle Commission
80 Fund", which is hereby created. The motor vehicle commission fund shall be administered by
81 the Missouri department of revenue. The provisions of section 33.080 to the contrary
82 notwithstanding, money in such fund shall not be transferred and placed to the credit of the
83 general revenue fund until the amount in the motor vehicle commission fund at the end of the
84 biennium exceeds two times the amount of the appropriation from such fund for the preceding
85 fiscal year or, if the department requires permit renewal less frequently than yearly, then three
86 times the appropriation from such fund for the preceding fiscal year. The amount, if any, in the
87 fund which shall lapse is that amount in the fund which exceeds the multiple of the appropriation
88 from such fund for the preceding fiscal year.

89 2. In the event a new vehicle manufacturer, boat manufacturer, motor vehicle dealer,
90 wholesale motor vehicle dealer, boat dealer, powersport dealer, wholesale motor vehicle auction,
91 trailer dealer, or a public motor vehicle auction submits an application for a license for a new
92 business and the applicant has complied with all the provisions of this section, the department
93 shall make a decision to grant or deny the license to the applicant within eight working hours
94 after receipt of the dealer's application, notwithstanding any rule of the department.

95 3. Upon the initial issuance of a license by the department, the department shall assign
 96 a distinctive dealer license number or certificate of number to the applicant and the department
 97 shall issue one number plate or certificate bearing the distinctive dealer license number or
 98 certificate of number and two additional number plates or certificates of number within eight
 99 working hours after presentment of the application. Upon renewal, the department shall issue
 100 the distinctive dealer license number or certificate of number as quickly as possible. The
 101 issuance of such distinctive dealer license number or certificate of number shall be in lieu of
 102 registering each motor vehicle, trailer, vessel or vessel trailer dealt with by a boat dealer, boat
 103 manufacturer, manufacturer, public motor vehicle auction, wholesale motor vehicle dealer,
 104 wholesale motor vehicle auction or new or used motor vehicle dealer.

105 4. Notwithstanding any other provision of the law to the contrary, the department shall
 106 assign the following distinctive dealer license numbers to:

- 107
- 108 New motor vehicle franchise dealers..... D-0 through D-999
 - 109 New powersport dealers and motorcycle franchise dealers..... D-1000 through D-1999
 - 110 Used motor vehicle, used powersport, and used motorcycle dealers.. D-2000 through D-9999
 - 111 Wholesale motor vehicle dealers..... W-0 through W-1999
 - 112 Wholesale motor vehicle auctions..... WA-0 through WA-999
 - 113 New and used trailer dealers. T-0 through T-9999
 - 114 Motor vehicle, trailer, and boat manufacturers. DM-0 through DM-999
 - 115 Public motor vehicle auctions. A-0 through A-1999
 - 116 Boat dealers. M-0 through M-9999
 - 117 New and used recreational motor vehicle dealers. RV-0 through RV-999

118

119 For purposes of this subsection, qualified transactions shall include the purchase of salvage titled
 120 vehicles by a licensed salvage dealer. A used motor vehicle dealer who also holds a salvage
 121 dealer's license shall be allowed one additional plate or certificate number per fifty-unit qualified
 122 transactions annually. In order for salvage dealers to obtain number plates or certificates under
 123 this section, dealers shall submit to the department of revenue on August first of each year a
 124 statement certifying, under penalty of perjury, the dealer's number of purchases during the
 125 reporting period of July first of the immediately preceding year to June thirtieth of the present
 126 year.

127 ~~[The provisions of this subsection shall become effective on the date the director of the~~
 128 ~~department of revenue begins to reissue new license plates under section 301.130, or on~~
 129 ~~December 1, 2008, whichever occurs first. If the director of revenue begins reissuing new~~

130 license plates under the authority granted under section 301.130 prior to December 1, 2008, the
131 director of the department of revenue shall notify the revisor of statutes of such fact.]

132 5. Upon the sale of a currently licensed new motor vehicle franchise dealership the
133 department shall, upon request, authorize the new approved dealer applicant to retain the selling
134 dealer's license number and shall cause the new dealer's records to indicate such transfer.

135 6. In the case of new motor vehicle manufacturers, motor vehicle dealers, powersport
136 dealers, recreational motor vehicle dealers, and trailer dealers, the department shall issue one
137 number plate bearing the distinctive dealer license number and may issue two additional number
138 plates to the applicant upon payment by the manufacturer or dealer of a fifty dollar fee for the
139 number plate bearing the distinctive dealer license number and ten dollars and fifty cents for each
140 additional number plate. Such license plates shall be made with fully reflective material with
141 a common color scheme and design, shall be clearly visible at night, and shall be aesthetically
142 attractive, as prescribed by section 301.130. Boat dealers and boat manufacturers shall be
143 entitled to one certificate of number bearing such number upon the payment of a fifty dollar fee.
144 Additional number plates and as many additional certificates of number may be obtained upon
145 payment of a fee of ten dollars and fifty cents for each additional plate or certificate. New motor
146 vehicle manufacturers shall not be issued or possess more than three hundred forty-seven
147 additional number plates or certificates of number annually. New and used motor vehicle
148 dealers, powersport dealers, wholesale motor vehicle dealers, boat dealers, and trailer dealers are
149 limited to one additional plate or certificate of number per ten-unit qualified transactions
150 annually. New and used recreational motor vehicle dealers are limited to two additional plates
151 or certificate of number per ten-unit qualified transactions annually for their first fifty
152 transactions and one additional plate or certificate of number per ten-unit qualified transactions
153 thereafter. An applicant seeking the issuance of an initial license shall indicate on his or her
154 initial application the applicant's proposed annual number of sales in order for the director to
155 issue the appropriate number of additional plates or certificates of number. A motor vehicle
156 dealer, trailer dealer, boat dealer, powersport dealer, recreational motor vehicle dealer, motor
157 vehicle manufacturer, boat manufacturer, or wholesale motor vehicle dealer obtaining a
158 distinctive dealer license plate or certificate of number or additional license plate or additional
159 certificate of number, throughout the calendar year, shall be required to pay a fee for such license
160 plates or certificates of number computed on the basis of one-twelfth of the full fee prescribed
161 for the original and duplicate number plates or certificates of number for such dealers' licenses,
162 multiplied by the number of months remaining in the licensing period for which the dealer or
163 manufacturers shall be required to be licensed. In the event of a renewing dealer, the fee due at
164 the time of renewal shall not be prorated. Wholesale and public auctions shall be issued a
165 certificate of dealer registration in lieu of a dealer number plate. In order for dealers to obtain

166 number plates or certificates under this section, dealers shall submit to the department of revenue
167 on August first of each year a statement certifying, under penalty of perjury, the dealer's number
168 of sales during the reporting period of July first of the immediately preceding year to June
169 thirtieth of the present year.

170 7. The plates issued pursuant to subsection 3 or 6 of this section may be displayed on any
171 motor vehicle owned by a new motor vehicle manufacturer. The plates issued pursuant to
172 subsection 3 or 6 of this section may be displayed on any motor vehicle or trailer owned and held
173 for resale by a motor vehicle dealer for use by a customer who is test driving the motor vehicle,
174 for use and display purposes during, but not limited to, parades, private events, charitable events,
175 or for use by an employee or officer, but shall not be displayed on any motor vehicle or trailer
176 hired or loaned to others or upon any regularly used service or wrecker vehicle. Motor vehicle
177 dealers may display their dealer plates on a tractor, truck or trailer to demonstrate a vehicle under
178 a loaded condition. Trailer dealers may display their dealer license plates in like manner, except
179 such plates may only be displayed on trailers owned and held for resale by the trailer dealer.

180 8. The certificates of number issued pursuant to subsection 3 or 6 of this section may be
181 displayed on any vessel or vessel trailer owned and held for resale by a boat manufacturer or a
182 boat dealer, and used by a customer who is test driving the vessel or vessel trailer, or is used by
183 an employee or officer on a vessel or vessel trailer only, but shall not be displayed on any motor
184 vehicle owned by a boat manufacturer, boat dealer, or trailer dealer, or vessel or vessel trailer
185 hired or loaned to others or upon any regularly used service vessel or vessel trailer. Boat dealers
186 and boat manufacturers may display their certificate of number on a vessel or vessel trailer when
187 transporting a vessel or vessels to an exhibit or show.

188 9. If any law enforcement officer has probable cause to believe that any license plate or
189 certificate of number issued under subsection 3 or 6 of this section is being misused in violation
190 of subsection 7 or 8 of this section, the license plate or certificate of number may be seized and
191 surrendered to the department.

192 10. (1) Every application for the issuance of a used motor vehicle dealer's license shall
193 be accompanied by proof that the applicant, within the last twelve months, has completed an
194 educational seminar course approved by the department as prescribed by subdivision (2) of this
195 subsection. Wholesale and public auto auctions and applicants currently holding a new or used
196 license for a separate dealership shall be exempt from the requirements of this subsection. The
197 provisions of this subsection shall not apply to ~~[current new motor vehicle franchise dealers or~~
198 ~~motor vehicle leasing agencies or]~~ applicants for a new motor vehicle franchise or a motor
199 vehicle leasing agency. ~~[The provisions of this subsection shall not apply to used motor vehicle~~
200 ~~dealers who were licensed prior to August 28, 2006.]~~

201 (2) The educational seminar shall include, but is not limited to, the dealer requirements
202 of sections 301.550 to ~~[301.573]~~ **301.580**, the rules promulgated to implement, enforce, and
203 administer sections 301.550 to ~~[301.570]~~ **301.580**, and any other rules and regulations
204 promulgated by the department.

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

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

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

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

29 5. No combination of truck-tractor and semitrailer or truck-tractor equipped with
30 dromedary and semitrailer operated upon the highways of this state shall have a length, including
31 load, in excess of sixty feet; except that in order to comply with the provisions of **Pub. L. 97-424**
32 **codified in** Title 23 of the United States Code [~~(Public Law 97-424)]~~ **(23 U.S.C. Section 101**

33 **et al.), as amended**, no combination of truck-tractor and semitrailer or truck-tractor equipped
34 with dromedary and semitrailer operated upon the interstate highway system of this state shall
35 have an overall length, including load, in excess of the length of the truck-tractor plus the
36 semitrailer or truck-tractor equipped with dromedary and semitrailer. The length of such
37 semitrailer shall not exceed fifty-three feet.

38 6. In order to comply with the provisions of **Pub. L. 97-424 codified in** Title 23 of the
39 United States Code [~~Public Law 97-424~~] (**23 U.S.C. Section 101 et al.**), **as amended**, no
40 combination of truck-tractor, semitrailer and trailer operated upon the interstate highway system
41 of this state shall have an overall length, including load, in excess of the length of the truck-
42 tractor plus the semitrailer and trailer, neither of which semitrailer or trailer shall exceed twenty-
43 eight feet in length, except that any existing semitrailer or trailer up to twenty-eight and one-half
44 feet in length actually and lawfully operated on December 1, 1982, within a sixty-five foot
45 overall length limit in any state, may continue to be operated upon the interstate highways of this
46 state. On those primary highways not designated by the state highways and transportation
47 commission as provided in subsection ~~[10]~~ **11** of this section, no combination of truck-tractor,
48 semitrailer and trailer shall have an overall length, including load, in excess of sixty-five feet;
49 provided, however, the [~~state highways and transportation~~] commission may designate additional
50 routes for such sixty-five foot combinations.

51 7. Automobile transporters, boat transporters, truck-trailer boat transporter combinations,
52 [~~stinger-steered combination automobile transporters~~] and stinger-steered combination boat
53 transporters having a length not in excess of seventy-five feet may be operated on the interstate
54 highways of this state and such other highways as may be designated by the [~~highways and~~
55 ~~transportation~~] commission for the operation of such vehicles plus a distance not to exceed ten
56 miles from such interstate or designated highway. All length provisions regarding automobile
57 or boat transporters, truck-trailer boat transporter combinations and stinger-steered
58 [~~combinations~~] **combination boat transporters** shall include a semitrailer length not to exceed
59 fifty-three feet and are exclusive of front and rear overhang, which shall be no greater than a
60 three-foot front overhang and no greater than a four-foot rear overhang.

61 **(1) Stinger-steered combination automobile transporters having a length not in**
62 **excess of eighty feet may be operated on the interstate highways of this state and such other**
63 **highways as may be designated by the commission for the operation of such vehicles plus**
64 **a distance not to exceed ten miles from such interstate or designated highway. All length**
65 **provisions regarding stinger-steered automobile combination transporters are exclusive**
66 **of front and rear overhang, which shall be no greater than a four-foot front overhang and**
67 **no greater than a six-foot rear overhang.**

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

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

78 9. No truck-tractor semitrailer-semitrailer combination vehicles operated upon the
79 interstate and designated primary highway system of this state shall have a semitrailer length in
80 excess of twenty-eight feet or twenty-eight and one-half feet if the semitrailer was in actual and
81 lawful operation in any state on December 1, 1982, operating in a truck-tractor semitrailer-
82 semitrailer combination. The B-train assembly is excluded from the measurement of semitrailer
83 length when used between the first and second semitrailer of a truck-tractor semitrailer-
84 semitrailer combination, except that when there is no semitrailer mounted to the B-train
85 assembly, it shall be included in the length measurement of the semitrailer.

86 10. **No towaway trailer transporter combination vehicles operated upon the**
87 **interstate and designated primary highway system of this state shall have an overall length**
88 **of more than eighty-two feet.**

89 11. The ~~[highways and transportation]~~ commission is authorized to designate routes on
90 the state highway system other than the interstate system over which those combinations of
91 vehicles of the lengths specified in subsections 5, 6, 7, 8, ~~[and]~~ 9, **and 10** of this section may be
92 operated. Combinations of vehicles operated under the provisions of subsections 5, 6, 7, 8, ~~[and]~~
93 9, **and 10** of this section may be operated at a distance not to exceed ten miles from the interstate
94 system and such routes as designated under the provisions of this subsection.

95 ~~[11.]~~ 12. Except as provided in subsections 5, 6, 7, 8, 9, ~~[and]~~ 10, **and 11** of this section,
96 no other combination of vehicles operated upon the primary or interstate highways of this state
97 plus a distance of ten miles from a primary or interstate highway shall have an overall length,
98 unladen or with load, in excess of sixty-five feet or in excess of fifty-five feet on any other
99 highway~~], except the state highways and transportation commission may designate additional~~
100 ~~routes for use by sixty-five foot combinations, seventy-five foot stinger-steered or seventy-five~~
101 ~~foot saddlemount combinations. Any vehicle or combination of vehicles transporting~~
102 ~~automobiles, boats or other motor vehicles may carry a load which extends no more than three~~

103 feet beyond the front and four feet beyond the rear of the transporting vehicle or combination of
104 vehicles].

105 [12-] 13. (1) Except as hereinafter provided, these restrictions shall not apply to
106 agricultural implements operating occasionally on the highways for short distances including
107 tractor parades for fund-raising activities or special events, provided the tractors are driven by
108 licensed drivers during daylight hours only and with the approval of the superintendent of the
109 Missouri state highway patrol; or to self-propelled hay-hauling equipment or to implements of
110 husbandry, or to the movement of farm products as defined in section 400.9-102 or to vehicles
111 temporarily transporting agricultural implements or implements of husbandry or road-making
112 machinery, or road materials or towing for repair purposes vehicles that have become disabled
113 upon the highways; or to implement dealers delivering or moving farm machinery for repairs on
114 any state highway other than the interstate system.

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

119 [13-] 14. As used in this chapter the term "implements of husbandry" means all self-
120 propelled machinery operated at speeds of less than thirty miles per hour, specifically designed
121 for, or especially adapted to be capable of, incidental over-the-road and primary offroad usage
122 and used exclusively for the application of commercial plant food materials or agricultural
123 chemicals, and not specifically designed or intended for transportation of such chemicals and
124 materials.

125 [14-] 15. Sludge disposal units may be operated on all state highways other than the
126 interstate system. Such units shall not exceed one hundred thirty-eight inches in width and may
127 be equipped with over-width tires. Such units shall observe all axle weight limits. The [chief
128 engineer of the state transportation department] **commission** shall issue special permits for the
129 movement of such disposal units and may by such permits restrict the movements to specified
130 routes, days and hours.

304.180. 1. No vehicle or combination of vehicles shall be moved or operated on any
2 highway in this state having a greater weight than twenty thousand pounds on one axle, no
3 combination of vehicles operated by transporters of general freight over regular routes as defined
4 in section 390.020 shall be moved or operated on any highway of this state having a greater
5 weight than the vehicle manufacturer's rating on a steering axle with the maximum weight not
6 to exceed twelve thousand pounds on a steering axle, and no vehicle shall be moved or operated
7 on any state highway of this state having a greater weight than thirty-four thousand pounds on
8 any tandem axle; the term "tandem axle" shall mean a group of two or more axles, arranged one

9 behind another, the distance between the extremes of which is more than forty inches and not
 10 more than ninety-six inches apart.

11 2. An "axle load" is defined as the total load transmitted to the road by all wheels whose
 12 centers are included between two 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 highway of this state through any
 15 one axle or on any tandem axle, the total gross weight with load imposed by any group of two
 16 or more consecutive axles of any vehicle or combination of vehicles shall not exceed the
 17 maximum load in pounds as set forth in the following table:

18 Distance in feet between the extremes
 19 of any group of two or more consecutive
 20 axles, measured to the nearest foot,
 21 except where indicated otherwise
 22 Maximum load in pounds

23 feet	2 axles	3 axles	4 axles	5 axles	6 axles
24					
25 4	34,000				
26 5	34,000				
27 6	34,000				
28 7	34,000				
29 8	34,000	34,000			
30 More than 8	38,000	42,000			
31 9	39,000	42,500			
32 10	40,000	43,500			
33 11	40,000	44,000			
34 12	40,000	45,000	50,000		
35 13	40,000	45,500	50,500		
36 14	40,000	46,500	51,500		
37 15	40,000	47,000	52,000		
38 16	40,000	48,000	52,500	58,000	
39 17	40,000	48,500	53,500	58,500	
40 18	40,000	49,500	54,000	59,000	
41 19	40,000	50,000	54,500	60,000	
42 20	40,000	51,000	55,500	60,500	66,000
43 21	40,000	51,500	56,000	61,000	66,500
44 22	40,000	52,500	56,500	61,500	67,000

45	23	40,000	53,000	57,500	62,500	68,000
46	24	40,000	54,000	58,000	63,000	68,500
47	25	40,000	54,500	58,500	63,500	69,000
48	26	40,000	55,500	59,500	64,000	69,500
49	27	40,000	56,000	60,000	65,000	70,000
50	28	40,000	57,000	60,500	65,500	71,000
51	29	40,000	57,500	61,500	66,000	71,500
52	30	40,000	58,500	62,000	66,500	72,000
53	31	40,000	59,000	62,500	67,500	72,500
54	32	40,000	60,000	63,500	68,000	73,000
55	33	40,000	60,000	64,000	68,500	74,000
56	34	40,000	60,000	64,500	69,000	74,500
57	35	40,000	60,000	65,500	70,000	75,000
58	36		60,000	66,000	70,500	75,500
59	37		60,000	66,500	71,000	76,000
60	38		60,000	67,500	72,000	77,000
61	39		60,000	68,000	72,500	77,500
62	40		60,000	68,500	73,000	78,000
63	41		60,000	69,500	73,500	78,500
64	42		60,000	70,000	74,000	79,000
65	43		60,000	70,500	75,000	80,000
66	44		60,000	71,500	75,500	80,000
67	45		60,000	72,000	76,000	80,000
68	46		60,000	72,500	76,500	80,000
69	47		60,000	73,500	77,500	80,000
70	48		60,000	74,000	78,000	80,000
71	49		60,000	74,500	78,500	80,000
72	50		60,000	75,500	79,000	80,000
73	51		60,000	76,000	80,000	80,000
74	52		60,000	76,500	80,000	80,000
75	53		60,000	77,500	80,000	80,000
76	54		60,000	78,000	80,000	80,000
77	55		60,000	78,500	80,000	80,000
78	56		60,000	79,500	80,000	80,000
79	57		60,000	80,000	80,000	80,000
80						

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

84 4. Whenever the state highways and transportation commission finds that any state
85 highway bridge in the state is in such a condition that use of such bridge by vehicles of the
86 weights specified in subsection 3 of this section will endanger the bridge, or the users of the
87 bridge, the commission may establish maximum weight limits and speed limits for vehicles
88 using such bridge. The governing body of any city or county may grant authority by act or
89 ordinance to the ~~[state highways and transportation]~~ commission to enact the limitations
90 established in this section on those roadways within the purview of such city or county. Notice
91 of the weight limits and speed limits established by the commission shall be given by posting
92 signs at a conspicuous place at each end of any such bridge.

93 5. Nothing in this section shall be construed as permitting lawful axle loads, tandem axle
94 loads or gross loads in excess of those permitted under the provisions of ~~[Section 127 of Title~~
95 ~~23 of the United States Code]~~ **P.L. 97-424 codified in Title 23 of the United States Code (23**
96 **U.S.C. Section 101, et al.), as amended.**

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

102 7. Notwithstanding any provision of this section to the contrary, the ~~[department of~~
103 ~~transportation]~~ **commission** shall issue a single-use special permit, or upon request of the owner
104 of the truck or equipment, shall issue an annual permit, for the transporting of any concrete pump
105 truck or well-drillers' equipment. The ~~[department of transportation]~~ **commission** shall set fees
106 for the issuance of permits pursuant to this subsection. Notwithstanding the provisions of section
107 301.133, concrete pump trucks or well-drillers' equipment may be operated on state-maintained
108 roads and highways at any time on any day.

109 8. Notwithstanding the provision of this section to the contrary, the maximum gross
110 vehicle limit and axle weight limit for any vehicle or combination of vehicles equipped with an
111 idle reduction technology may be increased by a quantity necessary to compensate for the
112 additional weight of the idle reduction system as provided for in 23 U.S.C. Section 127, as
113 amended. In no case shall the additional weight increase allowed by this subsection be greater
114 than five hundred fifty pounds. Upon request by an appropriate law enforcement officer, the
115 vehicle operator shall provide proof that the idle reduction technology is fully functional at all

116 times and that the gross weight increase is not used for any purpose other than for the use of idle
117 reduction technology.

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

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

130 11. Notwithstanding any provision of this section or any other law to the contrary, the
131 ~~[department of transportation]~~ **commission** shall issue emergency utility response permits for
132 the transporting of utility wires or cables, poles, and equipment needed for repair work
133 immediately following a disaster where utility service has been disrupted. Under exigent
134 circumstances, verbal approval of such operation may be made either by the **department of**
135 **transportation** motor carrier compliance supervisor or other designated motor carrier services
136 representative. Utility vehicles and equipment used to assist utility companies granted special
137 permits under this subsection may be operated and transported on state-maintained roads and
138 highways at any time on any day. The ~~[department of transportation]~~ **commission** shall
139 promulgate all necessary rules and regulations for the administration of this section. Any rule
140 or portion of a rule, as that term is defined in section 536.010, that is created under the authority
141 delegated in this section shall become effective only if it complies with and is subject to all of
142 the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536
143 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter
144 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held
145 unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after
146 August 28, 2014, shall be invalid and void.

147 **12. Notwithstanding any provision of this section to the contrary, emergency**
148 **vehicles designed to be used under emergency conditions to transport personnel and**
149 **equipment and to mitigate hazardous situations may have a maximum gross vehicle weight**
150 **of eighty-six thousand pounds inclusive of twenty-four thousand pounds on a single**
151 **steering axle; thirty-three thousand five hundred pounds on a single drive axle; sixty-two**

152 **thousand pounds on a tandem axle; or fifty-two thousand pounds on a tandem rear drive**
153 **steer axle.**

154 **13. Notwithstanding any provision of this section to the contrary, a vehicle operated**
155 **by an engine fueled primarily by natural gas may operate upon the public highways of this**
156 **state in excess of the vehicle weight limits set forth in this section by an amount that is**
157 **equal to the difference between the weight of the vehicle attributable to the natural gas**
158 **tank and fueling system carried by that vehicle and the weight of a comparable diesel tank**
159 **and fueling system. In no event shall the maximum gross vehicle weight of the vehicle**
160 **operating with a natural gas engine exceed eighty-two thousand pounds.**

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

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

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

Section 1. Notwithstanding any other provision of law, any political subdivision
2 **that imposes a local excise or sales tax enacted after January 1, 2017, under article IV,**
3 **section 30(a) of the Constitution of Missouri shall use no less than ninety percent of such**
4 **funds collected for the construction, reconstruction, maintenance, and repair of roads and**
5 **streets and for the payment and interest on indebtedness incurred on account of road and**
6 **street purposes, and no more than ten percent of such funds collected for policing, signing,**
7 **lighting, and cleaning roads and streets.**

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