

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

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Reported from the Committee on Transportation, Infrastructure and Public Safety, March 15, 2017, with recommendation that the Senate Committee Substitute do pass and be placed on the Consent Calendar.

1725S.02C

ADRIANE D. CROUSE, Secretary.

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**AN ACT**

To repeal sections 287.020, 287.040, 288.035, 301.010, 301.031, 301.227, 301.550, 304.170, 304.180, and 407.816, RSMo, and to enact in lieu thereof ten new sections relating to vehicle composition requirements.

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

Section A. Sections 287.020, 287.040, 288.035, 301.010, 301.031, 301.227, 2 301.550, 304.170, 304.180, and 407.816, RSMo, is repealed and ten new sections 3 enacted in lieu thereof, to be known as sections 287.020, 287.040, 288.035, 4 301.010, 301.031, 301.227, 301.550, 304.170, 304.180, and 407.816, to read as 5 follows:

287.020. 1. The word "employee" as used in this chapter shall be 2 construed to mean every person in the service of any employer, as defined in this 3 chapter, under any contract of hire, express or implied, oral or written, or under 4 any appointment or election, including executive officers of corporations. Except 5 as otherwise provided in section 287.200, any reference to any employee who has 6 been injured shall, when the employee is dead, also include his dependents, and 7 other persons to whom compensation may be payable. The word "employee" shall 8 also include all minors who work for an employer, whether or not such minors are 9 employed in violation of law, and all such minors are hereby made of full age for 10 all purposes under, in connection with, or arising out of this chapter. The word 11 "employee" shall not include an individual who is the owner, as defined in 12 [subdivision (42) of] section 301.010, and operator of a motor vehicle which is 13 leased or contracted with a driver to a for-hire motor carrier operating within a 14 commercial zone as defined in section 390.020 or 390.041, or operating under a 15 certificate issued by the Missouri department of transportation or by the United

**EXPLANATION—Matter enclosed in bold-faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.**

16 States Department of Transportation, or any of its subagencies. The word  
17 "employee" also shall not include any person performing services for board,  
18 lodging, aid, or sustenance received from any religious, charitable, or relief  
19 organization.

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

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

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

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

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

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

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

44         (5) The terms "injury" and "personal injuries" shall mean violence to the  
45 physical structure of the body and to the personal property which is used to make  
46 up the physical structure of the body, such as artificial dentures, artificial limbs,  
47 glass eyes, eyeglasses, and other prostheses which are placed in or on the body  
48 to replace the physical structure and such disease or infection as naturally results  
49 therefrom. These terms shall in no case except as specifically provided in this  
50 chapter be construed to include occupational disease in any form, nor shall they  
51 be construed to include any contagious or infectious disease contracted during the

52 course of the employment, nor shall they include death due to natural causes  
53 occurring while the worker is at work.

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

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

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

69 7. As used in this chapter and all acts amendatory thereof, the term  
70 "commission" shall hereafter be construed as meaning and referring exclusively  
71 to the labor and industrial relations commission of Missouri, and the term  
72 "director" shall hereafter be construed as meaning the director of the department  
73 of insurance, financial institutions and professional registration of the state of  
74 Missouri or such agency of government as shall exercise the powers and duties  
75 now conferred and imposed upon the department of insurance, financial  
76 institutions and professional registration of the state of Missouri.

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

80 9. For the purposes of this chapter, the term "minor" means a person who  
81 has not attained the age of eighteen years; except that, for the purpose of  
82 computing the compensation provided for in this chapter, the provisions of section  
83 287.250 shall control.

84 10. In applying the provisions of this chapter, it is the intent of the  
85 legislature to reject and abrogate earlier case law interpretations on the meaning  
86 of or definition of "accident", "occupational disease", "arising out of", and "in the  
87 course of the employment" to include, but not be limited to, holdings in: Bennett

88 v. Columbia Health Care and Rehabilitation, 80 S.W.3d 524 (Mo.App. W.D. 2002);  
89 Kasl v. Bristol Care, Inc., 984 S.W.2d 852 (Mo.banc 1999); and Drewes v. TWA,  
90 984 S.W.2d 512 (Mo.banc 1999) and all cases citing, interpreting, applying, or  
91 following those cases.

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

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

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

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

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

288.035. Notwithstanding the provisions of section 288.034, in the case  
2 of an individual who is the owner, as defined in [subdivision (42) of] section  
3 301.010, and operator of a motor vehicle which is leased or contracted with a  
4 driver to a for-hire common or contract motor vehicle carrier operating within a  
5 commercial zone as defined in section 390.020 or 390.041, or operating under a  
6 certificate issued by the Missouri department of transportation or by the United  
7 States Department of Transportation or any of its subagencies, such  
8 owner/operator shall not be deemed to be an employee, provided, however, such  
9 individual owner and operator shall be deemed to be in employment if the for-hire  
10 common or contract vehicle carrier is an organization described in Section  
11 501(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  
2 to 304.260, and sections 307.010 to 307.175, the following terms mean:

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

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

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

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

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

20 [(5)] (6) "Body shop", a business that repairs physical damage on motor  
21 vehicles that are not owned by the shop or its officers or employees by mending,  
22 straightening, replacing body parts, or painting;

23 [(6)] (7) "Bus", a motor vehicle primarily for the transportation of a  
24 driver and eight or more passengers but not including shuttle buses;

25 [(7)] (8) "Commercial motor vehicle", a motor vehicle designed or

26 regularly used for carrying freight and merchandise, or more than eight  
27 passengers but not including vanpools or shuttle buses;

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

31 [(9)] (10) "Dealer", any person, firm, corporation, association, agent or  
32 subagent engaged in the sale or exchange of new, used or reconstructed motor  
33 vehicles or trailers;

34 [(10)] (11) "Director" or "director of revenue", the director of the  
35 department of revenue;

36 [(11)] (12) "Driveaway operation":

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

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

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

52 [(12)] (13) "Dromedary", a box, deck, or plate mounted behind the cab  
53 and forward of the fifth wheel on the frame of the power unit of a truck  
54 tractor-semitrailer combination. A truck tractor equipped with a dromedary may  
55 carry part of a load when operating independently or in a combination with a  
56 semitrailer;

57 [(13)] (14) "Farm tractor", a tractor used exclusively for agricultural  
58 purposes;

59 [(14)] (15) "Fleet", any group of ten or more motor vehicles owned by the  
60 same owner;

61 [(15)] (16) "Fleet vehicle", a motor vehicle which is included as part of

62 a fleet;

63 [(16)] (17) "Fullmount", a vehicle mounted completely on the frame of  
64 either the first or last vehicle in a saddlemount combination;

65 [(17)] (18) "Gross weight", the weight of vehicle and/or vehicle  
66 combination without load, plus the weight of any load thereon;

67 [(18)] (19) "Hail-damaged vehicle", any vehicle, the body of which has  
68 become dented as the result of the impact of hail;

69 [(19)] (20) "Highway", any public thoroughfare for vehicles, including  
70 state roads, county roads and public streets, avenues, boulevards, parkways or  
71 alleys in any municipality;

72 [(20)] (21) "Improved highway", a highway which has been paved with  
73 gravel, macadam, concrete, brick or asphalt, or surfaced in such a manner that  
74 it shall have a hard, smooth surface;

75 [(21)] (22) "Intersecting highway", any highway which joins another,  
76 whether or not it crosses the same;

77 [(22)] (23) "Junk vehicle", a vehicle which:

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

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

82 [(23)] (24) "Kit vehicle", a motor vehicle assembled by a person other  
83 than a generally recognized manufacturer of motor vehicles by the use of a glider  
84 kit or replica purchased from an authorized manufacturer and accompanied by  
85 a manufacturer's statement of origin;

86 [(24)] (25) "Land improvement contractors' commercial motor vehicle",  
87 any not-for-hire commercial motor vehicle the operation of which is confined to:

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

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

98 motor vehicle;

99           [(25)] **(26)** "Local commercial motor vehicle", a commercial motor vehicle  
100 whose operations are confined solely to a municipality and that area extending  
101 not more than fifty miles therefrom, or a commercial motor vehicle whose  
102 property-carrying operations are confined solely to the transportation of property  
103 owned by any person who is the owner or operator of such vehicle to or from a  
104 farm owned by such person or under the person's control by virtue of a landlord  
105 and tenant lease; provided that any such property transported to any such farm  
106 is for use in the operation of such farm;

107           [(26)] **(27)** "Local log truck", a commercial motor vehicle which is  
108 registered pursuant to this chapter to operate as a motor vehicle on the public  
109 highways of this state, used exclusively in this state, used to transport harvested  
110 forest products, operated solely at a forested site and in an area extending not  
111 more than a one hundred-mile radius from such site, carries a load with  
112 dimensions not in excess of twenty-five cubic yards per two axles with dual  
113 wheels, and when operated on the national system of interstate and defense  
114 highways described in 23 U.S.C. Section 103, as amended, such vehicle shall not  
115 exceed the weight limits of section 304.180, does not have more than four axles,  
116 and does not pull a trailer which has more than two axles. Harvesting equipment  
117 which is used specifically for cutting, felling, trimming, delimiting, debarking,  
118 chipping, skidding, loading, unloading, and stacking may be transported on a  
119 local log truck. A local log truck may not exceed the limits required by law,  
120 however, if the truck does exceed such limits as determined by the inspecting  
121 officer, then notwithstanding any other provisions of law to the contrary, such  
122 truck shall be subject to the weight limits required by such sections as licensed  
123 for eighty thousand pounds;

124           [(27)] **(28)** "Local log truck tractor", a commercial motor vehicle which is  
125 registered under this chapter to operate as a motor vehicle on the public  
126 highways of this state, used exclusively in this state, used to transport harvested  
127 forest products, operated solely at a forested site and in an area extending not  
128 more than a one hundred-mile radius from such site, operates with a weight not  
129 exceeding twenty-two thousand four hundred pounds on one axle or with a weight  
130 not exceeding forty-four thousand eight hundred pounds on any tandem axle, and  
131 when operated on the national system of interstate and defense highways  
132 described in [Title 23, Section 103(e) of the United States Code] **23 U.S.C.**  
133 **Section 103, as amended**, such vehicle does not exceed the weight limits



134 contained in section 304.180, and does not have more than three axles and does  
135 not pull a trailer which has more than two axles. Violations of axle weight  
136 limitations shall be subject to the load limit penalty as described for in sections  
137 304.180 to 304.220;

138 [(28)] **(29)** "Local transit bus", a bus whose operations are confined  
139 wholly within a municipal corporation, or wholly within a municipal corporation  
140 and a commercial zone, as defined in section 390.020, adjacent thereto, forming  
141 a part of a public transportation system within such municipal corporation and  
142 such municipal corporation and adjacent commercial zone;

143 [(29)] **(30)** "Log truck", a vehicle which is not a local log truck or local log  
144 truck tractor and is used exclusively to transport harvested forest products to and  
145 from forested sites which is registered pursuant to this chapter to operate as a  
146 motor vehicle on the public highways of this state for the transportation of  
147 harvested forest products;

148 [(30)] **(31)** "Major component parts", the rear clip, cowl, frame, body, cab,  
149 front-end assembly, and front clip, as those terms are defined by the director of  
150 revenue pursuant to rules and regulations or by illustrations;

151 [(31)] **(32)** "Manufacturer", any person, firm, corporation or association  
152 engaged in the business of manufacturing or assembling motor vehicles, trailers  
153 or vessels for sale;

154 [(32)] **(33)** "Motor change vehicle", a vehicle manufactured prior to  
155 August, 1957, which receives a new, rebuilt or used engine, and which used the  
156 number stamped on the original engine as the vehicle identification number;

157 [(33)] **(34)** "Motor vehicle", any self-propelled vehicle not operated  
158 exclusively upon tracks, except farm tractors;

159 [(34)] **(35)** "Motor vehicle primarily for business use", any vehicle other  
160 than a recreational motor vehicle, motorcycle, motortricycle, or any commercial  
161 motor vehicle licensed for over twelve thousand pounds:

162 (a) Offered for hire or lease; or

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

164 [(35)] **(36)** "Motorcycle", a motor vehicle operated on two wheels;

165 [(36)] **(37)** "Motorized bicycle", any two-wheeled or three-wheeled device  
166 having an automatic transmission and a motor with a cylinder capacity of not  
167 more than fifty cubic centimeters, which produces less than three gross brake  
168 horsepower, and is capable of propelling the device at a maximum speed of not  
169 more than thirty miles per hour on level ground;

170 [(37)] (38) "Motortricycle", a motor vehicle operated on three wheels,  
171 including a motorcycle while operated with any conveyance, temporary or  
172 otherwise, requiring the use of a third wheel. A motortricycle shall not be  
173 included in the definition of all-terrain vehicle;

174 [(38)] (39) "Municipality", any city, town or village, whether incorporated  
175 or not;

176 [(39)] (40) "Nonresident", a resident of a state or country other than the  
177 state of Missouri;

178 [(40)] (41) "Non-USA-std motor vehicle", a motor vehicle not originally  
179 manufactured in compliance with United States emissions or safety standards;

180 [(41)] (42) "Operator", any person who operates or drives a motor vehicle;

181 [(42)] (43) "Owner", any person, firm, corporation or association, who  
182 holds the legal title to a vehicle or in the event a vehicle is the subject of an  
183 agreement for the conditional sale or lease thereof with the right of purchase  
184 upon performance of the conditions stated in the agreement and with an  
185 immediate right of possession vested in the conditional vendee or lessee, or in the  
186 event a mortgagor of a vehicle is entitled to possession, then such conditional  
187 vendee or lessee or mortgagor shall be deemed the owner for the purpose of this  
188 [law] **subdivision**;

189 [(43)] (44) "Public garage", a place of business where motor vehicles are  
190 housed, stored, repaired, reconstructed or repainted for persons other than the  
191 owners or operators of such place of business;

192 [(44)] (45) "Rebuilder", a business that repairs or rebuilds motor vehicles  
193 owned by the rebuilder, but does not include certificated common or contract  
194 carriers of persons or property;

195 [(45)] (46) "Reconstructed motor vehicle", a vehicle that is altered from  
196 its original construction by the addition or substitution of two or more new or  
197 used major component parts, excluding motor vehicles made from all new parts,  
198 and new multistage manufactured vehicles;

199 [(46)] (47) "Recreational motor vehicle", any motor vehicle designed,  
200 constructed or substantially modified so that it may be used and is used for the  
201 purposes of temporary housing quarters, including therein sleeping and eating  
202 facilities which are either permanently attached to the motor vehicle or attached  
203 to a unit which is securely attached to the motor vehicle. Nothing herein shall  
204 prevent any motor vehicle from being registered as a commercial motor vehicle  
205 if the motor vehicle could otherwise be so registered;

206 [(47)] **(48)** "Recreational off-highway vehicle", any motorized vehicle  
207 manufactured and used exclusively for off-highway use which is more than fifty  
208 inches but no more than sixty-seven inches in width, with an unladen dry weight  
209 of two thousand pounds or less, traveling on four or more nonhighway tires and  
210 which may have access to ATV trails;

211 [(48)] **(49)** "Rollback or car carrier", any vehicle specifically designed to  
212 transport wrecked, disabled or otherwise inoperable vehicles, when the  
213 transportation is directly connected to a wrecker or towing service;

214 [(49)] **(50)** "Saddlemount combination", a combination of vehicles in  
215 which a truck or truck tractor tows one or more trucks or truck tractors, each  
216 connected by a saddle to the frame or fifth wheel of the vehicle in front of it. The  
217 "saddle" is a mechanism that connects the front axle of the towed vehicle to the  
218 frame or fifth wheel of the vehicle in front and functions like a fifth wheel kingpin  
219 connection. When two vehicles are towed in this manner the combination is  
220 called a "double saddlemount combination". When three vehicles are towed in  
221 this manner, the combination is called a "triple saddlemount combination";

222 [(50)] **(51)** "Salvage dealer and dismantler", a business that dismantles  
223 used motor vehicles for the sale of the parts thereof, and buys and sells used  
224 motor vehicle parts and accessories;

225 [(51)] **(52)** "Salvage vehicle", a motor vehicle, semitrailer, or house trailer  
226 which:

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

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

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

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

239 (e) Is abandoned property which is titled pursuant to section 304.155 or  
240 section [304.157] **304.156** and designated with the words "salvage/abandoned  
241 property". The total cost of repairs to rebuild or reconstruct the vehicle shall not

242 include the cost of repairing, replacing, or reinstalling inflatable safety restraints,  
243 tires, sound systems, or damage as a result of hail, or any sales tax on parts or  
244 materials to rebuild or reconstruct the vehicle. For purposes of this definition,  
245 "fair market value" means the retail value of a motor vehicle as:

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

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

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

255 [(52)] **(53)** "School bus", any motor vehicle used solely to transport  
256 students to or from school or to transport students to or from any place for  
257 educational purposes;

258 [(53)] **(54)** "Scrap processor", a business that, through the use of fixed or  
259 mobile equipment, flattens, crushes, or otherwise accepts motor vehicles and  
260 vehicle parts for processing or transportation to a shredder or scrap metal  
261 operator for recycling;

262 [(54)] **(55)** "Shuttle bus", a motor vehicle used or maintained by any  
263 person, firm, or corporation as an incidental service to transport patrons or  
264 customers of the regular business of such person, firm, or corporation to and from  
265 the place of business of the person, firm, or corporation providing the service at  
266 no fee or charge. Shuttle buses shall not be registered as buses or as commercial  
267 motor vehicles;

268 [(55)] **(56)** "Special mobile equipment", every self-propelled vehicle not  
269 designed or used primarily for the transportation of persons or property and  
270 incidentally operated or moved over the highways, including farm equipment,  
271 implements of husbandry, road construction or maintenance machinery,  
272 ditch-digging apparatus, stone crushers, air compressors, power shovels, cranes,  
273 graders, rollers, well-drillers and wood-sawing equipment used for hire, asphalt  
274 spreaders, bituminous mixers, bucket loaders, ditchers, leveling graders, finished  
275 machines, motor graders, road rollers, scarifiers, earth-moving carryalls, scrapers,  
276 drag lines, concrete pump trucks, rock-drilling and earth-moving equipment. This  
277 enumeration shall be deemed partial and shall not operate to exclude other such

278 vehicles which are within the general terms of this section;

279 [(56)] (57) "Specially constructed motor vehicle", a motor vehicle which  
280 shall not have been originally constructed under a distinctive name, make, model  
281 or type by a manufacturer of motor vehicles. The term specially constructed  
282 motor vehicle includes kit vehicles;

283 [(57)] (58) "Stinger-steered combination", a truck tractor-semitrailer  
284 wherein the fifth wheel is located on a drop frame located behind and below the  
285 rearmost axle of the power unit;

286 [(58)] (59) "Tandem axle", a group of two or more axles, arranged one  
287 behind another, the distance between the extremes of which is more than forty  
288 inches and not more than ninety-six inches apart;

289 [(59)] (60) **"Towaway trailer transporter combination", a  
290 combination of vehicles consisting of a trailer transporter towing unit  
291 and two trailers or semitrailers, with a total weight that does not  
292 exceed twenty-six thousand pounds; and in which the trailers or  
293 semitrailers carry no property and constitute inventory property of a  
294 manufacturer, distributor, or dealer of such trailers or semitrailers;**

295 (61) "Tractor", "truck tractor" or "truck-tractor", a self-propelled motor  
296 vehicle designed for drawing other vehicles, but not for the carriage of any load  
297 when operating independently. When attached to a semitrailer, it supports a part  
298 of the weight thereof;

299 [(60)] (62) "Trailer", any vehicle without motive power designed for  
300 carrying property or passengers on its own structure and for being drawn by a  
301 self-propelled vehicle, except those running exclusively on tracks, including a  
302 semitrailer or vehicle of the trailer type so designed and used in conjunction with  
303 a self-propelled vehicle that a considerable part of its own weight rests upon and  
304 is carried by the towing vehicle. The term trailer shall not include cotton trailers  
305 as defined in subdivision (8) of this section and shall not include manufactured  
306 homes as defined in section 700.010;

307 [(61)] (63) **"Trailer transporter towing unit", a power unit that is  
308 not used to carry property when operating in a towaway trailer  
309 transporter combination;**

310 (64) "Truck", a motor vehicle designed, used, or maintained for the  
311 transportation of property;

312 [(62)] (65) "Truck-tractor semitrailer-semitrailer", a combination vehicle  
313 in which the two trailing units are connected with a B-train assembly which is

314 a rigid frame extension attached to the rear frame of a first semitrailer which  
315 allows for a fifth-wheel connection point for the second semitrailer and has one  
316 less articulation point than the conventional A-dolly connected truck-tractor  
317 semitrailer-trailer combination;

318 [(63)] **(66)** "Truck-trailer boat transporter combination", a boat  
319 transporter combination consisting of a straight truck towing a trailer using  
320 typically a ball and socket connection with the trailer axle located substantially  
321 at the trailer center of gravity rather than the rear of the trailer but so as to  
322 maintain a downward force on the trailer tongue;

323 [(64)] **(67)** "Used parts dealer", a business that buys and sells used motor  
324 vehicle parts or accessories, but not including a business that sells only new,  
325 remanufactured or rebuilt parts. Business does not include isolated sales at a  
326 swap meet of less than three days;

327 [(65)] **(68)** "Utility vehicle", any motorized vehicle manufactured and  
328 used exclusively for off-highway use which is more than fifty inches but no more  
329 than sixty-seven inches in width, with an unladen dry weight of two thousand  
330 pounds or less, traveling on four or six wheels, to be used primarily for  
331 landscaping, lawn care, or maintenance purposes;

332 [(66)] **(69)** "Vanpool", any van or other motor vehicle used or maintained  
333 by any person, group, firm, corporation, association, city, county or state agency,  
334 or any member thereof, for the transportation of not less than eight nor more  
335 than forty-eight employees, per motor vehicle, to and from their place of  
336 employment; however, a vanpool shall not be included in the definition of the  
337 term bus or commercial motor vehicle as defined by subdivisions [(6)] **(7)** and  
338 [(7)] **(8)** of this section, nor shall a vanpool driver be deemed a chauffeur as that  
339 term is defined by section 303.020; nor shall use of a vanpool vehicle for  
340 ride-sharing arrangements, recreational, personal, or maintenance uses constitute  
341 an unlicensed use of the motor vehicle, unless used for monetary profit other than  
342 for use in a ride-sharing arrangement;

343 [(67)] **(70)** "Vehicle", any mechanical device on wheels, designed  
344 primarily for use, or used, on highways, except motorized bicycles, vehicles  
345 propelled or drawn by horses or human power, or vehicles used exclusively on  
346 fixed rails or tracks, or cotton trailers or motorized wheelchairs operated by  
347 handicapped persons;

348 [(68)] **(71)** "Wrecker" or "tow truck", any emergency commercial vehicle  
349 equipped, designed and used to assist or render aid and transport or tow disabled

350 or wrecked vehicles from a highway, road, street or highway rights-of-way to a  
351 point of storage or repair, including towing a replacement vehicle to replace a  
352 disabled or wrecked vehicle;

353        [(69)] **(72)** "Wrecker or towing service", the act of transporting, towing  
354 or recovering with a wrecker, tow truck, rollback or car carrier any vehicle not  
355 owned by the operator of the wrecker, tow truck, rollback or car carrier for which  
356 the operator directly or indirectly receives compensation or other personal gain.

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

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

17        2. Whenever a vehicle is classified as "junk", as defined in section 301.010,  
18 the purchaser may forward to the director of revenue a properly completed  
19 application for a junking certificate as well as the salvage certificate of title or  
20 certificate of ownership and the director shall issue a negotiable junking  
21 certificate to the purchaser of the vehicle. The director may also issue a junking  
22 certificate to a possessor of a vehicle manufactured twenty-six years or more prior  
23 to the current model year who has a bill of sale for said vehicle but does not

24 possess a certificate of ownership, provided no claim of theft has been made on  
25 the vehicle and the highway patrol has by letter stated the vehicle is not listed  
26 as stolen after checking the registration number through its nationwide computer  
27 system. Such junking certificate may be granted within thirty days of the  
28 submission of a request. A junking certificate shall authorize the holder to  
29 possess, transport, or, by assignment, transfer ownership in such parts, scrap, or  
30 junk.

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

44         4. No scrap metal operator shall acquire or purchase a motor vehicle or  
45 parts thereof without, at the time of such acquisition, receiving the original  
46 certificate of ownership or salvage certificate of title or junking certificate from  
47 the seller of the vehicle or parts, unless the seller is a licensee under sections  
48 301.219 to 301.221.

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

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

56         7. Notwithstanding any other provision of this section, a motor vehicle  
57 dealer as defined in section 301.550 and licensed under the provisions of sections  
58 301.550 to 301.572 may negotiate one reassignment of a salvage certificate of title  
59 on the back thereof.



60           8. Notwithstanding the provisions of subsection 1 of this section, an  
61 insurance company which settles a claim for a stolen vehicle may apply for and  
62 shall be issued a negotiable salvage certificate of title without the payment of any  
63 fee upon proper application within thirty days after settlement of the claim for  
64 such stolen vehicle. However, if the insurance company upon recovery of a stolen  
65 vehicle determines that the stolen vehicle has not sustained damage to the extent  
66 that the vehicle would have otherwise been declared a salvage vehicle pursuant  
67 to [subdivision (51) of] section 301.010, then the insurance company may have the  
68 vehicle inspected by the Missouri state highway patrol, or other law enforcement  
69 agency authorized by the director of revenue, in accordance with the inspection  
70 provisions of subsection 9 of section 301.190. Upon receipt of title application,  
71 applicable fee, the completed inspection, and the return of any previously issued  
72 negotiable salvage certificate, the director shall issue an original title with no  
73 salvage or prior salvage designation. Upon the issuance of an original title the  
74 director shall remove any indication of the negotiable salvage title previously  
75 issued to the insurance company from the department's electronic records.

76           9. Notwithstanding subsection 4 of this section or any other provision of  
77 the law to the contrary, if a motor vehicle is inoperable and is at least ten model  
78 years old, or the parts are from a motor vehicle that is inoperable and is at least  
79 ten model years old, a scrap metal operator may purchase or acquire such motor  
80 vehicle or parts without receiving the original certificate of ownership, salvage  
81 certificate of title, or junking certificate from the seller of the vehicle or parts,  
82 provided the scrap metal operator verifies with the department of revenue, via  
83 the department's online record access, that the motor vehicle is not subject to any  
84 recorded security interest or lien and the scrap metal operator complies with the  
85 requirements of this subsection. In lieu of forwarding certificates of title or  
86 ownership for such motor vehicles as required by subsection 5 of this section, the  
87 scrap metal operator shall forward a copy of the seller's state identification along  
88 with a bill of sale to the department of revenue. The bill of sale form shall be  
89 designed by the director and such form shall include, but not be limited to, a  
90 certification that the motor vehicle is at least ten model years old, is inoperable,  
91 is not subject to any recorded security interest or lien, and a certification by the  
92 seller that the seller has the legal authority to sell or otherwise transfer the  
93 seller's interest in the motor vehicle or parts. Upon receipt of the information  
94 required by this subsection, the department of revenue shall cancel any certificate  
95 of title or ownership and registration for the motor vehicle. If the motor vehicle

96 is inoperable and at least twenty model years old, then the scrap metal operator  
97 shall not be required to verify with the department of revenue whether the motor  
98 vehicle is subject to any recorded security interests or liens. As used in this  
99 subsection, the term "inoperable" means a motor vehicle that is in a rusted,  
100 wrecked, discarded, worn out, extensively damaged, dismantled, and mechanically  
101 inoperative condition and the vehicle's highest and best use is for scrap  
102 purposes. The director of the department of revenue is directed to promulgate  
103 rules and regulations to implement and administer the provisions of this section,  
104 including but not limited to, the development of a uniform bill of sale. Any rule  
105 or portion of a rule, as that term is defined in section 536.010, that is created  
106 under the authority delegated in this section shall become effective only if it  
107 complies with and is subject to all of the provisions of chapter 536 and, if  
108 applicable, section 536.028. This section and chapter 536 are nonseverable and  
109 if any of the powers vested with the general assembly pursuant to chapter 536 to  
110 review, to delay the effective date, or to disapprove and annul a rule are  
111 subsequently held unconstitutional, then the grant of rulemaking authority and  
112 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  
2 sections 301.550 to 301.573, and in addition as used in sections 301.550 to  
3 301.573, the following terms mean:

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

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

- 20 (3) "Department", the Missouri department of revenue;
- 21 (4) "Director", the director of the Missouri department of revenue;
- 22 (5) "Emergency vehicles", motor vehicles used as ambulances, law  
23 enforcement vehicles, and fire fighting and assistance vehicles;
- 24 (6) "Manufacturer", any person engaged in the manufacturing, assembling  
25 or modification of new motor vehicles or trailers as a regular business, including  
26 a person, partnership or corporation which acts for and is under the control of a  
27 manufacturer or assembly in connection with the distribution of motor vehicles  
28 or accessories for motor vehicles;
- 29 (7) "Motor vehicle broker", a person who holds himself out through  
30 solicitation, advertisement, or otherwise as one who offers to arrange a  
31 transaction involving the retail sale of a motor vehicle, and who is not:
- 32 (a) A dealer, or any agent, or any employee of a dealer when acting on  
33 behalf of a dealer;
- 34 (b) A manufacturer, or any agent, or employee of a manufacturer when  
35 acting on behalf of a manufacturer;
- 36 (c) The owner of the vehicle involved in the transaction; or
- 37 (d) A public motor vehicle auction or wholesale motor vehicle auction  
38 where buyers are licensed dealers in this or any other jurisdiction;
- 39 (8) "Motor vehicle dealer" or "dealer", any person who, for commission or  
40 with an intent to make a profit or gain of money or other thing of value, sells,  
41 barter, exchanges, leases or rents with the option to purchase, or who offers or  
42 attempts to sell or negotiates the sale of motor vehicles or trailers whether or not  
43 the motor vehicles or trailers are owned by such person; provided, however, an  
44 individual auctioneer or auction conducted by an auctioneer licensed pursuant to  
45 chapter 343 shall not be included within the definition of a motor vehicle  
46 dealer. The sale of six or more motor vehicles or trailers in any calendar year  
47 shall be required as evidence that such person is engaged in the motor vehicle  
48 business and is eligible for licensure as a motor vehicle dealer under sections  
49 301.550 to 301.573. Any motor vehicle dealer licensed before August 28, 2007,  
50 shall be required to meet the minimum calendar year sales of six or more motor  
51 vehicles provided the dealer can prove the business achieved, cumulatively, six  
52 or more sales per year for the preceding twenty-four months in business; or if the  
53 dealer has not been in business for twenty-four months, the cumulative  
54 equivalent of one sale every two months for the months the dealer has been in  
55 business before August 28, 2007. Any licensed motor vehicle dealer failing to

56 meet the minimum vehicle sales requirements as referenced in this subsection  
57 shall not be qualified to renew his or her license for one year. Applicants who  
58 reapply after the one-year period shall meet the requirement of six sales per year;

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

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

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

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

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

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

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

87 (16) "Trailer dealer", any person selling, either exclusively or otherwise,  
88 trailers as defined in [subdivision (60) of] section 301.010. A trailer dealer may  
89 acquire a motor vehicle for resale only as a trade-in for a  
90 trailer. Notwithstanding the provisions of [subdivision (11) of] section 301.010  
91 and section 301.069, trailer dealers may purchase one driveaway license plate to

92 display such motor vehicle for demonstration purposes. The sale of six or more  
93 trailers in any calendar year shall be required as evidence that such person is  
94 engaged in the trailer business and is eligible for licensure as a trailer dealer  
95 under sections 301.550 to 301.573. Any trailer dealer licensed before August 28,  
96 2007, shall be required to meet the minimum calendar year sales of six or more  
97 trailers provided the dealer can prove the business achieved, cumulatively, six or  
98 more sales per year for the preceding twenty-four months in business; or if the  
99 dealer has not been in business for twenty-four months, the cumulative  
100 equivalent of one sale every two months for the months the dealer has been in  
101 business before August 28, 2007. Any licensed trailer dealer failing to meet the  
102 minimum trailer and vehicle sales requirements as referenced in this subsection  
103 shall not be qualified to renew his or her license for one year. Applicants who  
104 reapply after the one-year period shall meet the requirement of six sales per year;

105 (17) "Used motor vehicle", any motor vehicle which is not a new motor  
106 vehicle, as defined in sections 301.550 to 301.573, and which has been sold,  
107 bartered, exchanged or given away or which may have had a title issued in this  
108 state or any other state, or a motor vehicle so used as to be what is commonly  
109 known as a secondhand motor vehicle. In the event of an assignment of the  
110 statement of origin from an original franchise dealer to any individual or other  
111 motor vehicle dealer other than a new motor vehicle franchise dealer of the same  
112 make, the vehicle so assigned shall be deemed to be a used motor vehicle and a  
113 certificate of ownership shall be obtained in the assignee's name. The term "used  
114 motor vehicle" shall not include manufactured homes, as defined in section  
115 700.010;

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

118 (19) "Vessel", every boat and watercraft defined as a vessel in section  
119 306.010;

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

122 (21) "Wholesale motor vehicle auction", any person, firm or corporation in  
123 the business of providing auction services solely in wholesale transactions at its  
124 established place of business in which the purchasers are motor vehicle dealers  
125 licensed by this or any other jurisdiction, and which neither buys, sells nor owns  
126 the motor vehicles it auctions in the ordinary course of its business. Except as  
127 required by law with regard to the auction sale of a government-owned motor

128 vehicle, a wholesale motor vehicle auction shall not provide auction services in  
129 connection with the retail sale of a motor vehicle;

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

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

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

- 137 (1) Boat dealers;  
138 (2) Franchised new motor vehicle dealers;  
139 (3) Used motor vehicle dealers;  
140 (4) Wholesale motor vehicle dealers;  
141 (5) Recreational motor vehicle dealers;  
142 (6) Historic motor vehicle dealers;  
143 (7) Classic motor vehicle dealers;  
144 (8) Powersport dealers; and  
145 (9) Trailer dealers.

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

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

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

19           4. No bus, recreational motor vehicle or trackless trolley coach operated  
20 upon the highways of this state shall have a length in excess of forty-five feet,  
21 except that such vehicles may exceed the forty-five feet length when such excess  
22 length is caused by the projection of a front safety bumper or a rear safety  
23 bumper or both. Such safety bumper shall not cause the length of the bus or  
24 recreational motor vehicle to exceed the forty-five feet length limit by more than  
25 one foot in the front and one foot in the rear. The term "safety bumper" means  
26 any device which may be fitted on an existing bumper or which replaces the  
27 bumper and is so constructed, treated, or manufactured that it absorbs energy  
28 upon impact.

29           5. No combination of truck-tractor and semitrailer or truck-tractor  
30 equipped with dromedary and semitrailer operated upon the highways of this  
31 state shall have a length, including load, in excess of sixty feet; except that in  
32 order to comply with the provisions of Title 23 of the United States Code (Public  
33 Law 97-424), no combination of truck-tractor and semitrailer or truck-tractor  
34 equipped with dromedary and semitrailer operated upon the interstate highway  
35 system of this state shall have an overall length, including load, in excess of the  
36 length of the truck-tractor plus the semitrailer or truck-tractor equipped with  
37 dromedary and semitrailer. The length of such semitrailer shall not exceed  
38 fifty-three feet.

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

54           7. Automobile transporters, boat transporters, truck-trailer boat

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

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

75 **(2) Automobile transporters may transport cargo or general**  
76 **freight on a backhaul, so long as it complies with weight limitations for**  
77 **a truck tractor and semitrailer combination as outlined in section**  
78 **304.180.**

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

87 9. No truck-tractor semitrailer-semitrailer combination vehicles operated  
88 upon the interstate and designated primary highway system of this state shall  
89 have a semitrailer length in excess of twenty-eight feet or twenty-eight and  
90 one-half feet if the semitrailer was in actual and lawful operation in any state on



91 December 1, 1982, operating in a truck-tractor semitrailer-semitrailer  
92 combination. The B-train assembly is excluded from the measurement of  
93 semitrailer length when used between the first and second semitrailer of a  
94 truck-tractor semitrailer-semitrailer combination, except that when there is no  
95 semitrailer mounted to the B-train assembly, it shall be included in the length  
96 measurement of the semitrailer.

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

100 **11.** The [highways and transportation] commission is authorized to  
101 designate routes on the state highway system other than the interstate system  
102 over which those combinations of vehicles of the lengths specified in subsections  
103 5, 6, 7, 8 [and], 9, and 10 of this section may be operated. Combinations of  
104 vehicles operated under the provisions of subsections 5, 6, 7, 8 [and], 9, and 10  
105 of this section may be operated at a distance not to exceed ten miles from the  
106 interstate system and such routes as designated under the provisions of this  
107 subsection.

108 [11.] **12.** Except as provided in subsections 5, 6, 7, 8, 9 [and], 10, and 11  
109 of this section, no other combination of vehicles operated upon the primary or  
110 interstate highways of this state plus a distance of ten miles from a primary or  
111 interstate highway shall have an overall length, unladen or with load, in excess  
112 of sixty-five feet or in excess of fifty-five feet on any other highway, except the  
113 [state highways and transportation] commission may designate additional routes  
114 for use by sixty-five foot combinations, seventy-five foot stinger-steered  
115 [combinations] **combination boat transporters, eighty foot combination**  
116 **automobile transporters,** or seventy-five foot saddlemount combinations. [Any  
117 vehicle or combination of vehicles transporting automobiles, boats or other motor  
118 vehicles may carry a load which extends no more than three feet beyond the front  
119 and four feet beyond the rear of the transporting vehicle or combination of  
120 vehicles.]

121 [12.] **13.** (1) Except as hereinafter provided, these restrictions shall not  
122 apply to agricultural implements operating occasionally on the highways for short  
123 distances including tractor parades for fund-raising activities or special events,  
124 provided the tractors are driven by licensed drivers during daylight hours only  
125 and with the approval of the superintendent of the Missouri state highway patrol;  
126 or to self-propelled hay-hauling equipment or to implements of husbandry, or to

127 the movement of farm products as defined in section 400.9-102 or to vehicles  
128 temporarily transporting agricultural implements or implements of husbandry or  
129 road-making machinery, or road materials or towing for repair purposes vehicles  
130 that have become disabled upon the highways; or to implement dealers delivering  
131 or moving farm machinery for repairs on any state highway other than the  
132 interstate system.

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

138 [13.] 14. As used in this chapter the term "implements of husbandry"  
139 means all self-propelled machinery operated at speeds of less than thirty miles  
140 per hour, specifically designed for, or especially adapted to be capable of,  
141 incidental over-the-road and primary offroad usage and used exclusively for the  
142 application of commercial plant food materials or agricultural chemicals, and not  
143 specifically designed or intended for transportation of such chemicals and  
144 materials.

145 [14.] 15. Sludge disposal units may be operated on all state highways  
146 other than the interstate system. Such units shall not exceed one hundred  
147 thirty-eight inches in width and may be equipped with over-width tires. Such  
148 units shall observe all axle weight limits. The [chief engineer of the state  
149 transportation department] **commission** shall issue special permits for the  
150 movement of such disposal units and may by such permits restrict the movements  
151 to specified routes, days and hours.

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

12 ninety-six inches apart.

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

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

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

		Maximum load in pounds				
23	24 feet	2 axles	3 axles	4 axles	5 axles	6 axles
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 Notwithstanding the above table, two consecutive sets of tandem axles may carry  
 81 a gross load of thirty-four thousand pounds each if the overall distance between  
 82 the first and last axles of such consecutive sets of tandem axles is thirty-six feet  
 83 or more.

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

95 5. Nothing in this section shall be construed as permitting lawful axle  
 96 loads, tandem axle loads or gross loads in excess of those permitted under the  
 97 provisions of Section 127 of Title 23 of the United States Code.

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

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

112 8. Notwithstanding the provision of this section to the contrary, the

113 maximum gross vehicle limit and axle weight limit for any vehicle or combination  
114 of vehicles equipped with an idle reduction technology may be increased by a  
115 quantity necessary to compensate for the additional weight of the idle reduction  
116 system as provided for in 23 U.S.C. Section 127, as amended. In no case shall the  
117 additional weight increase allowed by this subsection be greater than five  
118 hundred fifty pounds. Upon request by an appropriate law enforcement officer,  
119 the vehicle operator shall provide proof that the idle reduction technology is fully  
120 functional at all times and that the gross weight increase is not used for any  
121 purpose other than for the use of idle reduction technology.

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

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

136 11. Notwithstanding any provision of this section or any other law to the  
137 contrary, the [department of transportation] **commission** shall issue emergency  
138 utility response permits for the transporting of utility wires or cables, poles, and  
139 equipment needed for repair work immediately following a disaster where utility  
140 service has been disrupted. Under exigent circumstances, verbal approval of such  
141 operation may be made either by the **department of transportation** motor  
142 carrier compliance supervisor or other designated motor carrier services  
143 representative. Utility vehicles and equipment used to assist utility companies  
144 granted special permits under this subsection may be operated and transported  
145 on state-maintained roads and highways at any time on any day. The  
146 [department of transportation] **commission** shall promulgate all necessary rules  
147 and regulations for the administration of this section. Any rule or portion of a  
148 rule, as that term is defined in section 536.010, that is created under the

149 authority delegated in this section shall become effective only if it complies with  
150 and is subject to all of the provisions of chapter 536 and, if applicable, section  
151 536.028. This section and chapter 536 are nonseverable and if any of the powers  
152 vested with the general assembly pursuant to chapter 536 to review, to delay the  
153 effective date, or to disapprove and annul a rule are subsequently held  
154 unconstitutional, then the grant of rulemaking authority and any rule proposed  
155 or adopted after August 28, 2014, shall be invalid and void.

156 **12. Notwithstanding any provision of this section to the contrary,**  
157 **emergency vehicles designed to be used under emergency conditions to**  
158 **transport personnel and equipment and to mitigate hazardous**  
159 **situations may have a maximum gross vehicle weight of eighty-six**  
160 **thousand pounds inclusive of twenty-four thousand pounds on a single**  
161 **steering axle; thirty-three thousand five hundred pounds on a single**  
162 **drive axle; sixty-two thousand pounds on a tandem axle; or fifty-two**  
163 **thousand pounds on a tandem rear drive steer axle.**

164 **13. Notwithstanding any provision of this section or any other**  
165 **law to the contrary, a vehicle operated by an engine fueled primarily**  
166 **by natural gas may operate on the public highways of this state in**  
167 **excess of the vehicle weight limits set forth in this section by an**  
168 **amount that is equal to the difference between the weight of the vehicle**  
169 **attributable to the natural gas tank and fueling system carried by that**  
170 **vehicle and the weight of a comparable diesel tank and fueling system.**  
171 **In no event shall maximum gross vehicle weight of the vehicle**  
172 **operating with a natural gas engine exceed eighty-two thousand**  
173 **pounds.**

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

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

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

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