

SENATE SUBSTITUTE  
FOR  
SENATE COMMITTEE SUBSTITUTE  
FOR  
SENATE BILL NO. 1050

AN ACT

To repeal sections 108.120, 137.555, 227.240, 263.245, 292.606, 301.010, 301.020, 301.055, 301.130, 301.350, 302.170, 302.173, 302.174, 302.720, 304.005, 304.012, 304.060, 304.180, 304.820, 306.126, 307.175, and 414.032, RSMo, and to enact in lieu thereof twenty-five new sections relating to transportation, with existing penalty provisions and an emergency clause for a certain section.

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

1           Section A. Sections 108.120, 137.555, 227.240, 263.245,  
2 292.606, 301.010, 301.020, 301.055, 301.130, 301.350, 302.170,  
3 302.173, 302.174, 302.720, 304.005, 304.012, 304.060, 304.180,  
4 304.820, 306.126, 307.175, and 414.032, RSMo, are repealed and  
5 twenty-five new sections enacted in lieu thereof, to be known as  
6 sections 108.120, 137.555, 227.240, 227.541, 227.542, 227.544,  
7 263.245, 292.606, 301.010, 301.020, 301.055, 301.130, 301.350,  
8 302.170, 302.173, 302.174, 302.720, 304.005, 304.012, 304.060,  
9 304.180, 304.820, 306.126, 307.175, and 414.032, to read as  
10 follows:

11           108.120. 1. The county commissions of the counties of this  
12 state are hereby authorized to issue bonds for and on behalf of  
13 their respective counties for the construction, reconstruction,

1 improvement, maintenance and repair of any and all public roads,  
2 highways, bridges [and], culverts, streets, avenues, or alleys  
3 within such county, including the payment of any cost, judgment  
4 and expense for property, or rights in property, acquired by  
5 purchase or eminent domain, as may be provided by law, in such  
6 amount and such manner as may be provided by the general law  
7 authorizing the issuance of bonds by counties.

8 2. The proceeds of all bonds issued under the provisions of  
9 this section shall be paid into the county treasury where they  
10 shall be kept as a separate fund to be known as "The Road Bond  
11 Construction Fund" and such proceeds shall be used only for the  
12 purpose mentioned herein. [Such funds may be used in the  
13 construction, reconstruction, improvement, maintenance and repair  
14 of any street, avenue, road or alley in any incorporated city,  
15 town or village if such street, avenue, road or alley or any part  
16 thereof shall form a part of a continuous road, highway, bridge  
17 or culvert of said county leading into or through such city, town  
18 or village.] The county may contract with any other political  
19 subdivision to share the proceeds of such bonds to be used for  
20 the purposes authorized.

21 137.555. In addition to other levies authorized by law, the  
22 county commission in counties not adopting an alternative form of  
23 government and the proper administrative body in counties  
24 adopting an alternative form of government, in their discretion  
25 may levy an additional tax, not exceeding thirty-five cents on  
26 each one hundred dollars assessed valuation, all of such tax to  
27 be collected and turned into the county treasury, where it shall  
28 be known and designated as "The Special Road and Bridge Fund" to

1 be used for road and bridge purposes and for no other purpose  
2 whatever; except that the term "road and bridge purposes" may  
3 include certain storm water control projects off rights of way  
4 that are directly related to the construction of roads and  
5 bridges, in any county of the first classification without a  
6 charter form of government with a population of at least ninety  
7 thousand inhabitants but not more than one hundred thousand  
8 inhabitants, in any county of the first classification without a  
9 charter form of government with a population of at least two  
10 hundred thousand inhabitants, in any county of the first  
11 classification without a charter form of government and bordered  
12 by one county of the first classification and one county of the  
13 second classification or in any county of the first  
14 classification with a charter form of government and containing  
15 part of a city with a population of three hundred thousand or  
16 more inhabitants; provided, however, that all that part or  
17 portion of such tax which shall arise from and be collected and  
18 paid upon any property lying and being within any special road  
19 district shall be paid into the county treasury and four-fifths  
20 of such part or portion of such tax so arising from and collected  
21 and paid upon any property lying and being within any such  
22 special road district shall be placed to the credit of such  
23 special road district from which it arose and shall be paid out  
24 to such special road district upon warrants of the county  
25 commission, in favor of the commissioners or treasurer of the  
26 district as the case may be; provided further, that the part of  
27 such special road and bridge tax arising from and paid upon  
28 property not situated in any special road district and the

1 one-fifth part retained in the county treasury may, in the  
2 discretion of the county commission and pursuant to a written  
3 contract, be shared with any other political subdivision to be  
4 used [in] for road and bridge purposes within the county,  
5 including but not limited to constructing, improving or repairing  
6 [any street in any incorporated city or village in the county, if  
7 such street shall form a part of a continuous highway of such  
8 county leading through such city or village] streets, avenues, or  
9 alleys of such political subdivision.

10 227.240. 1. The location and removal of all telephone,  
11 cable television, and electric light and power transmission  
12 lines, poles, wires, and conduits and all pipelines and tramways,  
13 erected or constructed, or hereafter to be erected or constructed  
14 by any corporation, municipality, public water supply district,  
15 sewer district, association or persons, within the right-of-way  
16 of any state highway, insofar as the public travel and traffic is  
17 concerned, and insofar as the same may interfere with the  
18 construction or maintenance of any such highway, shall be under  
19 the control and supervision of the state highways and  
20 transportation commission.

21 2. A cable television corporation or company shall be  
22 permitted to place its lines within the right-of-way of any state  
23 highway, consistent with the rules and regulations of the state  
24 highways and transportation commission. The state highways and  
25 transportation commission shall establish a system for receiving  
26 and resolving complaints with respect to cable television lines  
27 placed in, or removed from, the right-of-way of a state highway.

28 3. The department of transportation may establish a utility

1 corridor for the placement of utility facilities on the right-of-  
2 way of highways in the state highway system. Such utility  
3 corridor shall be up to twelve feet in width and placed within  
4 the existing right-of-way when space is reasonably available,  
5 with the location of the utility corridor to be determined by the  
6 state highways and transportation commission. Utility providers  
7 shall be reimbursed by the department of transportation for the  
8 expense of moving or relocating any preexisting utility  
9 facilities located on property that is outside an existing state  
10 highway right-of-way or utility corridor and is acquired by the  
11 state for the purpose of expanding a state highway. The  
12 commission shall promulgate rules setting forth a standardized  
13 statewide system for requesting and issuing variances to  
14 requirements set forth in this section.

15       4. The commission or some officer selected by the  
16 commission shall serve a written notice upon the entity, person  
17 or corporation owning or maintaining any such lines, poles,  
18 wires, conduits, pipelines, or tramways, which notice shall  
19 contain a plan or chart indicating the places on the right-of-way  
20 at which such lines, poles, wires, conduits, pipelines or  
21 tramways may be maintained. The notice shall also state the time  
22 when the work of hard surfacing said roads is proposed to  
23 commence, and shall further state that a hearing shall be had  
24 upon the proposed plan of location and matters incidental  
25 thereto, giving the place and date of such hearing. Immediately  
26 after such hearing the said owner shall be given a notice of the  
27 findings and orders of the commission and shall be given a  
28 reasonable time thereafter to comply therewith; provided,

1 however, that the effect of any change ordered by the commission  
2 shall not be to remove all or any part of such lines, poles,  
3 wires, conduits, pipelines or tramways from the right-of-way of  
4 the highway. The removal of the same shall be made at the cost  
5 and expense of the owners thereof unless otherwise provided by  
6 said commission, and in the event of the failure of such owners  
7 to remove the same at the time so determined they may be removed  
8 by the state highways and transportation commission, or under its  
9 direction, and the cost thereof collected from such owners, and  
10 such owners shall not be liable in any way to any person for the  
11 placing and maintaining of such lines, poles, wires, conduits,  
12 pipelines and tramways at the places prescribed by the  
13 commission.

14 [4.] 5. The commission is authorized in the name of the  
15 state of Missouri to institute and maintain, through the attorney  
16 general, such suits and actions as may be necessary to enforce  
17 the provisions of this section. Any corporation, association or  
18 the officers or agents of such corporations or associations, or  
19 any other person who shall erect or maintain any such lines,  
20 poles, wires, conduits, pipelines or tramways, within the  
21 right-of-way of such roads which are hard-surfaced, which are not  
22 in accordance with such orders of the commission, shall be deemed  
23 guilty of a misdemeanor.

24 227.541. The portion of Interstate 70 from Rangeline Street  
25 continuing west to Business Loop 70 in Boone County shall be  
26 designated as "Highway Patrol Sgt. Benjamin Booth Memorial  
27 Highway". The department of transportation shall erect and  
28 maintain appropriate signs designating such highway, with the

1 costs to be paid by private donations.

2 227.542. The portion of Interstate Highway 70 from the  
3 eastern edge of the intersection of U.S. Highway 63 and  
4 Interstate 70 continuing west to Rangeline Street in Boone County  
5 shall be designated as "Sheriff Roger I. Wilson Memorial  
6 Highway". The department of transportation shall erect and  
7 maintain appropriate signs designating such highway, with the  
8 costs to be paid by private donations.

9 227.544. The portion of State Highway 42 within Maries  
10 County that is located within the city limits of Vienna shall be  
11 designated as "PFC Ralph A. Branson, Jr. Memorial Highway". The  
12 department of transportation shall erect and maintain appropriate  
13 signs designating such highway, with the costs to be paid by  
14 private donations.

15 263.245. 1. Subject to voter approval under section  
16 263.247, all owners of land in:

17 (1) Any county with a township form of government, located  
18 north of the Missouri River and having no portion of the county  
19 located east of U.S. Highway 63 [and located in];

20 (2) Any county of the third classification without a  
21 township form of government and with more than four thousand one  
22 hundred but fewer than four thousand two hundred inhabitants[,];  
23 or [in]

24 (3) Any county of the third classification without a  
25 township form of government and with more than two thousand three  
26 hundred but fewer than two thousand four hundred inhabitants  
27  
28 shall control all brush growing on such owner's property that is

1 designated as the county right-of-way or county maintenance  
2 easement part of such owner's property and which is adjacent to  
3 any county road. Such brush shall be cut, burned, or otherwise  
4 destroyed as often as necessary in order to keep such lands  
5 accessible for purposes of maintenance and safety of the county  
6 road and to prevent brush from interfering with any vehicle that  
7 may travel the road.

8 2. The county commission, either upon its own motion or  
9 upon receipt of a written notice requesting the action from any  
10 residents of the county in which the county road bordering the  
11 lands in question is located or upon written request of any  
12 person regularly using the county road, may control such brush so  
13 as to allow easy access to the land described in subsection 1 of  
14 this section, and for that purpose the county commission, or its  
15 agents, servants, or employees shall have authority to enter on  
16 such lands without being liable to an action of trespass  
17 therefor, and shall keep an accurate account of the expenses  
18 incurred in eradicating the brush, and shall verify such  
19 statement under seal of the county commission, and transmit the  
20 same to the officer whose duty it is or may be to extend state  
21 and county taxes on tax books or bills against real estate. Such  
22 officer shall extend the aggregate expenses so charged against  
23 each tract of land as a special tax, which shall then become [a  
24 lien on such lands,] due on such landowner's real and personal  
25 property tax assessment and be collected as state and county  
26 taxes are collected by law and paid to the county commission and  
27 credited to the county control fund.

28 3. Before proceeding to control brush as provided in this



1 section, the county commission of the county in which the land is  
2 located shall notify the owner of the land of the requirements of  
3 this law [by certified mail, return receipt requested, from a  
4 list] in writing using any mail service with delivery tracking  
5 and an address supplied by the officer who prepares the tax  
6 list[, ] and shall allow the owner of the land thirty days from  
7 [acknowledgment date of return receipt, or] the date of [refusal  
8 of acceptance of] delivery [as the case may be,] to eradicate all  
9 such brush growing on land designated as the county right-of-way  
10 or county maintenance easement part of such owner's land and  
11 which is adjacent to the county road. In the event that the  
12 property owner cannot be located by [certified] mail, notice  
13 shall be placed in a newspaper of general circulation in the  
14 county in which the land is located at least thirty days before  
15 the county commission removes the brush pursuant to subsection 2  
16 of this section. Such property owner shall be granted an  
17 automatic thirty-day extension due to hardship by notifying the  
18 county commission that such owner cannot comply with the  
19 requirements of this section, due to hardship, within the first  
20 thirty-day period. The property owner may be granted a second  
21 extension by a majority vote of the county commission. There  
22 shall be no further extensions. For the purposes of this  
23 subsection, "hardship" may be financial, physical or any other  
24 condition that the county commission deems to be a valid reason  
25 to allow an extension of time to comply with the requirements of  
26 this section.

27 4. County commissions shall not withhold rock, which is  
28 provided from funds from the county aid road trust fund, for

1 maintaining county roads due to the abutting property owner's  
2 refusal to remove brush located on land designated as the county  
3 right-of-way or county maintenance easement part of such owner's  
4 land. County commissions shall use such rock on the county  
5 roads, even though the brush is not removed, or county  
6 commissions may resort to the procedures in this section to  
7 remove the brush.

8 5. The county right-of-way or county maintenance easement  
9 shall extend fifteen feet from the center of the county road or  
10 the distance set forth in the original conveyance, whichever is  
11 greater. For purposes of this subsection, the "center of the  
12 county road" shall be the point equidistant from both edges of  
13 the drivable ground of the road in its current condition.

14 6. In the event a county is required to obtain a land  
15 survey to enforce this section, the costs of such survey shall be  
16 divided equally between the county and the landowner.

17 292.606. 1. Fees shall be collected for a period of six  
18 years from August 28, [2012] 2018.

19 2. (1) Any employer required to report under subsection 1  
20 of section 292.605, except local governments and family-owned  
21 farm operations, shall submit an annual fee to the commission of  
22 one hundred dollars along with the Tier II form. Owners or  
23 operators of petroleum retail facilities shall pay a fee of no  
24 more than fifty dollars for each such facility. Any person, firm  
25 or corporation selling, delivering or transporting petroleum or  
26 petroleum products and whose primary business deals with  
27 petroleum products or who is covered by the provisions of chapter  
28 323, if such person, firm or corporation is paying fees under the

1 provisions of the federal hazardous materials transportation  
2 registration and fee assessment program, shall deduct such  
3 federal fees from those fees owed to the state under the  
4 provisions of this subsection. If the federal fees exceed or are  
5 equal to what would otherwise be owed under this subsection, such  
6 employer shall not be liable for state fees under this  
7 subsection. In relation to petroleum products "primary business"  
8 shall mean that the person, firm or corporation shall earn more  
9 than fifty percent of hazardous chemical revenues from the sale,  
10 delivery or transport of petroleum products. For the purpose of  
11 calculating fees, all grades of gasoline are considered to be one  
12 product, all grades of heating oils, diesel fuels, kerosenes,  
13 naphthas, aviation turbine fuel, and all other heavy distillate  
14 products except for grades of gasoline are considered to be one  
15 product, and all varieties of motor lubricating oil are  
16 considered to be one product. For the purposes of this section  
17 "facility" shall mean all buildings, equipment, structures and  
18 other stationary items that are located on a single site or on  
19 contiguous or adjacent sites and which are owned or operated by  
20 the same person. If more than three hazardous substances or  
21 mixtures are reported on the Tier II form, the employer shall  
22 submit an additional twenty dollar fee for each hazardous  
23 substance or mixture. Fees collected under this subdivision  
24 shall be for each hazardous chemical on hand at any one time in  
25 excess of ten thousand pounds or for extremely hazardous  
26 substances on hand at any one time in excess of five hundred  
27 pounds or the threshold planning quantity, whichever is less, or  
28 for explosives or blasting agents on hand at any one time in

1 excess of one hundred pounds. However, no employer shall pay  
2 more than ten thousand dollars per year in fees. Moneys acquired  
3 through litigation and any administrative fees paid pursuant to  
4 subsection 3 of this section shall not be applied toward this  
5 cap.

6 (2) Employers engaged in transporting hazardous materials  
7 by pipeline except local gas distribution companies regulated by  
8 the Missouri public service commission shall pay to the  
9 commission a fee of two hundred fifty dollars for each county in  
10 which they operate.

11 (3) Payment of fees is due each year by March first. A  
12 late fee of ten percent of the total owed, plus one percent per  
13 month of the total, may be assessed by the commission.

14 (4) If, on March first of each year, fees collected under  
15 this section and natural resources damages made available  
16 pursuant to section 640.235 exceed one million dollars, any  
17 excess over one million dollars shall be proportionately credited  
18 to fees payable in the succeeding year by each employer who was  
19 required to pay a fee and who did pay a fee in the year in which  
20 the excess occurred. The limit of one million dollars contained  
21 herein shall be reviewed by the commission concurrent with the  
22 review of fees as required in subsection 1 of this section.

23 3. Beginning January 1, 2013, any employer filing its Tier  
24 II form pursuant to subsection 1 of section 292.605 may request  
25 that the commission distribute that employer's Tier II report to  
26 the local emergency planning committees and fire departments  
27 listed in its Tier II report. Any employer opting to have the  
28 commission distribute its Tier II report shall pay an additional

1 fee of ten dollars for each facility listed in the report at the  
2 time of filing to recoup the commission's distribution costs.  
3 Fees shall be deposited in the chemical emergency preparedness  
4 fund established under section 292.607. An employer who pays the  
5 additional fee and whose Tier II report includes all local  
6 emergency planning committees and fire departments required to be  
7 notified under subsection 1 of section 292.605 shall satisfy the  
8 reporting requirements of subsection 1 of section 292.605. The  
9 commission shall develop a mechanism for an employer to exercise  
10 its option to have the commission distribute its Tier II report.

11 4. Local emergency planning committees receiving funds  
12 under section 292.604 shall coordinate with the commission and  
13 the department in chemical emergency planning, training,  
14 preparedness, and response activities. Local emergency planning  
15 committees receiving funds under this section, section 260.394,  
16 sections 292.602, 292.604, 292.605, 292.615 and section 640.235  
17 shall provide to the commission an annual report of expenditures  
18 and activities.

19 5. Fees collected by the department and all funds provided  
20 to local emergency planning committees shall be used for chemical  
21 emergency preparedness purposes as outlined in sections 292.600  
22 to 292.625 and the federal act, including contingency planning  
23 for chemical releases; exercising, evaluating, and distributing  
24 plans, providing training related to chemical emergency  
25 preparedness and prevention of chemical accidents; identifying  
26 facilities required to report; processing the information  
27 submitted by facilities and making it available to the public;  
28 receiving and handling emergency notifications of chemical

1 releases; operating a local emergency planning committee; and  
2 providing public notice of chemical preparedness activities.  
3 Local emergency planning committees receiving funds under this  
4 section may combine such funds with other local emergency  
5 planning committees to further the purposes of sections 292.600  
6 to 292.625, or the federal act.

7 6. The commission shall establish criteria and guidance on  
8 how funds received by local emergency planning committees may be  
9 used.

10 301.010. As used in this chapter and sections 304.010 to  
11 304.040, 304.120 to 304.260, and sections 307.010 to 307.175, the  
12 following terms mean:

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

18 (2) "Autocycle", a three-wheeled motor vehicle which the  
19 drivers and passengers ride in a partially or completely enclosed  
20 nonstraddle seating area, that is designed to be controlled with  
21 a steering wheel and pedals, and that has met applicable  
22 Department of Transportation National Highway Traffic Safety  
23 Administration requirements or Federal Motorcycle Safety  
24 Standards;

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

1            [(3)] (4) "Axle load", the total load transmitted to the  
2 road by all wheels whose centers are included between two  
3 parallel transverse vertical planes forty inches apart, extending  
4 across the full width of the vehicle;

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

8            [(5)] (6) "Boat transporter", any vehicle combination  
9 capable of carrying cargo on the power unit and designed and used  
10 specifically to transport assembled boats and boat hulls. Boats  
11 may be partially disassembled to facilitate transporting;

12           [(6)] (7) "Body shop", a business that repairs physical  
13 damage on motor vehicles that are not owned by the shop or its  
14 officers or employees by mending, straightening, replacing body  
15 parts, or painting;

16           [(7)] (8) "Bus", a motor vehicle primarily for the  
17 transportation of a driver and eight or more passengers but not  
18 including shuttle buses;

19           [(8)] (9) "Commercial motor vehicle", a motor vehicle  
20 designed or regularly used for carrying freight and merchandise,  
21 or more than eight passengers but not including vanpools or  
22 shuttle buses;

23           [(9)] (10) "Cotton trailer", a trailer designed and used  
24 exclusively for transporting cotton at speeds less than forty  
25 miles per hour from field to field or from field to market and  
26 return;

27           [(10)] (11) "Dealer", any person, firm, corporation,  
28 association, agent or subagent engaged in the sale or exchange of

1 new, used or reconstructed motor vehicles or trailers;

2 [(11)] (12) "Director" or "director of revenue", the  
3 director of the department of revenue;

4 [(12)] (13) "Driveaway operation":

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

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

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

23 [(13)] (14) "Dromedary", a box, deck, or plate mounted  
24 behind the cab and forward of the fifth wheel on the frame of the  
25 power unit of a truck tractor-semitrailer combination. A truck  
26 tractor equipped with a dromedary may carry part of a load when  
27 operating independently or in a combination with a semitrailer;

28 [(14)] (15) "Farm tractor", a tractor used exclusively for



1 agricultural purposes;

2 [(15)] (16) "Fleet", any group of ten or more motor  
3 vehicles owned by the same owner;

4 [(16)] (17) "Fleet vehicle", a motor vehicle which is  
5 included as part of a fleet;

6 [(17)] (18) "Fullmount", a vehicle mounted completely on  
7 the frame of either the first or last vehicle in a saddlemount  
8 combination;

9 [(18)] (19) "Gross weight", the weight of vehicle and/or  
10 vehicle combination without load, plus the weight of any load  
11 thereon;

12 [(19)] (20) "Hail-damaged vehicle", any vehicle, the body  
13 of which has become dented as the result of the impact of hail;

14 [(20)] (21) "Highway", any public thoroughfare for  
15 vehicles, including state roads, county roads and public streets,  
16 avenues, boulevards, parkways or alleys in any municipality;

17 [(21)] (22) "Improved highway", a highway which has been  
18 paved with gravel, macadam, concrete, brick or asphalt, or  
19 surfaced in such a manner that it shall have a hard, smooth  
20 surface;

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

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

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

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

28 [(24)] (25) "Kit vehicle", a motor vehicle assembled by a

1 person other than a generally recognized manufacturer of motor  
2 vehicles by the use of a glider kit or replica purchased from an  
3 authorized manufacturer and accompanied by a manufacturer's  
4 statement of origin;

5 [(25)] (26) "Land improvement contractors' commercial motor  
6 vehicle", any not-for-hire commercial motor vehicle the operation  
7 of which is confined to:

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

14 (b) An area that extends not more than a radius of fifty  
15 miles from its home base of operations when transporting its  
16 owner's machinery, equipment, or auxiliary supplies to or from  
17 projects not involving soil and water conservation.

18  
19 Nothing in this subdivision shall be construed to prevent any  
20 motor vehicle from being registered as a commercial motor vehicle  
21 or local commercial motor vehicle;

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

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

4 [(27)] (28) "Local log truck", a commercial motor vehicle  
5 which is registered pursuant to this chapter to operate as a  
6 motor vehicle on the public highways of this state, used  
7 exclusively in this state, used to transport harvested forest  
8 products, operated solely at a forested site and in an area  
9 extending not more than a one hundred mile radius from such site,  
10 carries a load with dimensions not in excess of twenty-five cubic  
11 yards per two axles with dual wheels, and when operated on the  
12 national system of interstate and defense highways described in  
13 23 U.S.C. Section 103, as amended, or outside the one hundred  
14 mile radius from such site with an extended distance local log  
15 truck permit, such vehicle shall not exceed the weight limits of  
16 section 304.180, does not have more than four axles, and does not  
17 pull a trailer which has more than two axles. Harvesting  
18 equipment which is used specifically for cutting, felling,  
19 trimming, delimiting, debarking, chipping, skidding, loading,  
20 unloading, and stacking may be transported on a local log truck.  
21 A local log truck may not exceed the limits required by law,  
22 however, if the truck does exceed such limits as determined by  
23 the inspecting officer, then notwithstanding any other provisions  
24 of law to the contrary, such truck shall be subject to the weight  
25 limits required by such sections as licensed for eighty thousand  
26 pounds;

27 [(28)] (29) "Local log truck tractor", a commercial motor  
28 vehicle which is registered under this chapter to operate as a

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

17 [(29)] (30) "Local transit bus", a bus whose operations are  
18 confined wholly within a municipal corporation, or wholly within  
19 a municipal corporation and a commercial zone, as defined in  
20 section 390.020, adjacent thereto, forming a part of a public  
21 transportation system within such municipal corporation and such  
22 municipal corporation and adjacent commercial zone;

23 [(30)] (31) "Log truck", a vehicle which is not a local log  
24 truck or local log truck tractor and is used exclusively to  
25 transport harvested forest products to and from forested sites  
26 which is registered pursuant to this chapter to operate as a  
27 motor vehicle on the public highways of this state for the  
28 transportation of harvested forest products;

1            [(31)] (32) "Major component parts", the rear clip, cowl,  
2 frame, body, cab, front-end assembly, and front clip, as those  
3 terms are defined by the director of revenue pursuant to rules  
4 and regulations or by illustrations;

5            [(32)] (33) "Manufacturer", any person, firm, corporation  
6 or association engaged in the business of manufacturing or  
7 assembling motor vehicles, trailers or vessels for sale;

8            [(33)] (34) "Motor change vehicle", a vehicle manufactured  
9 prior to August, 1957, which receives a new, rebuilt or used  
10 engine, and which used the number stamped on the original engine  
11 as the vehicle identification number;

12           [(34)] (35) "Motor vehicle", any self-propelled vehicle not  
13 operated exclusively upon tracks, except farm tractors;

14           [(35)] (36) "Motor vehicle primarily for business use", any  
15 vehicle other than a recreational motor vehicle, motorcycle,  
16 motortricycle, autocycle, or any commercial motor vehicle  
17 licensed for over twelve thousand pounds:

18           (a) Offered for hire or lease; or

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

21           [(36)] (37) "Motorcycle", a motor vehicle operated on two  
22 wheels;

23           [(37)] (38) "Motorized bicycle", any two-wheeled or three-  
24 wheeled device having an automatic transmission and a motor with  
25 a cylinder capacity of not more than fifty cubic centimeters,  
26 which produces less than three gross brake horsepower, and is  
27 capable of propelling the device at a maximum speed of not more  
28 than thirty miles per hour on level ground;

1            [(38)] (39) "Motortricycle", a motor vehicle upon which the  
2 operator straddles or sits astride that is designed to be  
3 controlled by handle bars and is operated on three wheels,  
4 including a motorcycle while operated with any conveyance,  
5 temporary or otherwise, requiring the use of a third wheel. A  
6 motortricycle shall not be included in the definition of all-  
7 terrain vehicle;

8            [(39)] (40) "Municipality", any city, town or village,  
9 whether incorporated or not;

10           [(40)] (41) "Nonresident", a resident of a state or country  
11 other than the state of Missouri;

12           [(41)] (42) "Non-USA-std motor vehicle", a motor vehicle  
13 not originally manufactured in compliance with United States  
14 emissions or safety standards;

15           [(42)] (43) "Operator", any person who operates or drives a  
16 motor vehicle;

17           [(43)] (44) "Owner", any person, firm, corporation or  
18 association, who holds the legal title to a vehicle or in the  
19 event a vehicle is the subject of an agreement for the  
20 conditional sale or lease thereof with the right of purchase upon  
21 performance of the conditions stated in the agreement and with an  
22 immediate right of possession vested in the conditional vendee or  
23 lessee, or in the event a mortgagor of a vehicle is entitled to  
24 possession, then such conditional vendee or lessee or mortgagor  
25 shall be deemed the owner;

26           [(44)] (45) "Public garage", a place of business where  
27 motor vehicles are housed, stored, repaired, reconstructed or  
28 repainted for persons other than the owners or operators of such

1 place of business;

2 [(45)] (46) "Rebuilder", a business that repairs or  
3 rebuilds motor vehicles owned by the rebuilder, but does not  
4 include certificated common or contract carriers of persons or  
5 property;

6 [(46)] (47) "Reconstructed motor vehicle", a vehicle that  
7 is altered from its original construction by the addition or  
8 substitution of two or more new or used major component parts,  
9 excluding motor vehicles made from all new parts, and new  
10 multistage manufactured vehicles;

11 [(47)] (48) "Recreational motor vehicle", any motor vehicle  
12 designed, constructed or substantially modified so that it may be  
13 used and is used for the purposes of temporary housing quarters,  
14 including therein sleeping and eating facilities which are either  
15 permanently attached to the motor vehicle or attached to a unit  
16 which is securely attached to the motor vehicle. Nothing herein  
17 shall prevent any motor vehicle from being registered as a  
18 commercial motor vehicle if the motor vehicle could otherwise be  
19 so registered;

20 [(48)] (49) "Recreational off-highway vehicle", any  
21 motorized vehicle manufactured and used exclusively for off-  
22 highway use which is more than fifty inches but no more than  
23 sixty-seven inches in width, with an unladen dry weight of two  
24 thousand pounds or less, traveling on four or more nonhighway  
25 tires and which may have access to ATV trails;

26 [(49)] (50) "Rollback or car carrier", any vehicle  
27 specifically designed to transport wrecked, disabled or otherwise  
28 inoperable vehicles, when the transportation is directly

1 connected to a wrecker or towing service;

2 [(50)] (51) "Saddlemount combination", a combination of  
3 vehicles in which a truck or truck tractor tows one or more  
4 trucks or truck tractors, each connected by a saddle to the frame  
5 or fifth wheel of the vehicle in front of it. The "saddle" is a  
6 mechanism that connects the front axle of the towed vehicle to  
7 the frame or fifth wheel of the vehicle in front and functions  
8 like a fifth wheel kingpin connection. When two vehicles are  
9 towed in this manner the combination is called a "double  
10 saddlemount combination". When three vehicles are towed in this  
11 manner, the combination is called a "triple saddlemount  
12 combination";

13 [(51)] (52) "Salvage dealer and dismantler", a business  
14 that dismantles used motor vehicles for the sale of the parts  
15 thereof, and buys and sells used motor vehicle parts and  
16 accessories;

17 [(52)] (53) "Salvage vehicle", a motor vehicle,  
18 semitrailer, or house trailer which:

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

26 (b) By reason of condition or circumstance, has been  
27 declared salvage, either by its owner, or by a person, firm,  
28 corporation, or other legal entity exercising the right of



1 security interest in it;

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

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

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

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

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

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

24 [(53)] (54) "School bus", any motor vehicle used solely to  
25 transport students to or from school or to transport students to  
26 or from any place for educational purposes;

27 [(54)] (55) "Scrap processor", a business that, through the  
28 use of fixed or mobile equipment, flattens, crushes, or otherwise

1 accepts motor vehicles and vehicle parts for processing or  
2 transportation to a shredder or scrap metal operator for  
3 recycling;

4 [(55)] (56) "Shuttle bus", a motor vehicle used or  
5 maintained by any person, firm, or corporation as an incidental  
6 service to transport patrons or customers of the regular business  
7 of such person, firm, or corporation to and from the place of  
8 business of the person, firm, or corporation providing the  
9 service at no fee or charge. Shuttle buses shall not be  
10 registered as buses or as commercial motor vehicles;

11 [(56)] (57) "Special mobile equipment", every self-  
12 propelled vehicle not designed or used primarily for the  
13 transportation of persons or property and incidentally operated  
14 or moved over the highways, including farm equipment, implements  
15 of husbandry, road construction or maintenance machinery, ditch-  
16 digging apparatus, stone crushers, air compressors, power  
17 shovels, cranes, graders, rollers, well-drillers and wood-sawing  
18 equipment used for hire, asphalt spreaders, bituminous mixers,  
19 bucket loaders, ditchers, leveling graders, finished machines,  
20 motor graders, road rollers, scarifiers, earth-moving carryalls,  
21 scrapers, drag lines, concrete pump trucks, rock-drilling and  
22 earth-moving equipment. This enumeration shall be deemed partial  
23 and shall not operate to exclude other such vehicles which are  
24 within the general terms of this section;

25 [(57)] (58) "Specially constructed motor vehicle", a motor  
26 vehicle which shall not have been originally constructed under a  
27 distinctive name, make, model or type by a manufacturer of motor  
28 vehicles. The term specially constructed motor vehicle includes

1 kit vehicles;

2 [(58)] (59) "Stinger-steered combination", a truck tractor-  
3 semitrailer wherein the fifth wheel is located on a drop frame  
4 located behind and below the rearmost axle of the power unit;

5 [(59)] (60) "Tandem axle", a group of two or more axles,  
6 arranged one behind another, the distance between the extremes of  
7 which is more than forty inches and not more than ninety-six  
8 inches apart;

9 [(60)] (61) "Towaway trailer transporter combination", a  
10 combination of vehicles consisting of a trailer transporter  
11 towing unit and two trailers or semitrailers, with a total weight  
12 that does not exceed twenty-six thousand pounds; and in which the  
13 trailers or semitrailers carry no property and constitute  
14 inventory property of a manufacturer, distributor, or dealer of  
15 such trailers or semitrailers;

16 [(61)] (62) "Tractor", "truck tractor" or "truck-tractor",  
17 a self-propelled motor vehicle designed for drawing other  
18 vehicles, but not for the carriage of any load when operating  
19 independently. When attached to a semitrailer, it supports a  
20 part of the weight thereof;

21 [(62)] (63) "Trailer", any vehicle without motive power  
22 designed for carrying property or passengers on its own structure  
23 and for being drawn by a self-propelled vehicle, except those  
24 running exclusively on tracks, including a semitrailer or vehicle  
25 of the trailer type so designed and used in conjunction with a  
26 self-propelled vehicle that a considerable part of its own weight  
27 rests upon and is carried by the towing vehicle. The term  
28 trailer shall not include cotton trailers as defined in this

1 section and shall not include manufactured homes as defined in  
2 section 700.010;

3 [(63)] (64) "Trailer transporter towing unit", a power unit  
4 that is not used to carry property when operating in a towaway  
5 trailer transporter combination;

6 [(64)] (65) "Truck", a motor vehicle designed, used, or  
7 maintained for the transportation of property;

8 [(65)] (66) "Truck-tractor semitrailer-semitrailer", a  
9 combination vehicle in which the two trailing units are connected  
10 with a B-train assembly which is a rigid frame extension attached  
11 to the rear frame of a first semitrailer which allows for a  
12 fifth-wheel connection point for the second semitrailer and has  
13 one less articulation point than the conventional A-dolly  
14 connected truck-tractor semitrailer-trailer combination;

15 [(66)] (67) "Truck-trailer boat transporter combination", a  
16 boat transporter combination consisting of a straight truck  
17 towing a trailer using typically a ball and socket connection  
18 with the trailer axle located substantially at the trailer center  
19 of gravity rather than the rear of the trailer but so as to  
20 maintain a downward force on the trailer tongue;

21 [(67)] (68) "Used parts dealer", a business that buys and  
22 sells used motor vehicle parts or accessories, but not including  
23 a business that sells only new, remanufactured or rebuilt parts.  
24 Business does not include isolated sales at a swap meet of less  
25 than three days;

26 [(68)] (69) "Utility vehicle", any motorized vehicle  
27 manufactured and used exclusively for off-highway use which is  
28 more than fifty inches but no more than sixty-seven inches in

1 width, with an unladen dry weight of two thousand pounds or less,  
2 traveling on four or six wheels, to be used primarily for  
3 landscaping, lawn care, or maintenance purposes;

4 [(69)] (70) "Vanpool", any van or other motor vehicle used  
5 or maintained by any person, group, firm, corporation,  
6 association, city, county or state agency, or any member thereof,  
7 for the transportation of not less than eight nor more than  
8 forty-eight employees, per motor vehicle, to and from their place  
9 of employment; however, a vanpool shall not be included in the  
10 definition of the term bus or commercial motor vehicle as defined  
11 in this section, nor shall a vanpool driver be deemed a chauffeur  
12 as that term is defined by section 303.020; nor shall use of a  
13 vanpool vehicle for ride-sharing arrangements, recreational,  
14 personal, or maintenance uses constitute an unlicensed use of the  
15 motor vehicle, unless used for monetary profit other than for use  
16 in a ride-sharing arrangement;

17 [(70)] (71) "Vehicle", any mechanical device on wheels,  
18 designed primarily for use, or used, on highways, except  
19 motorized bicycles, vehicles propelled or drawn by horses or  
20 human power, or vehicles used exclusively on fixed rails or  
21 tracks, or cotton trailers or motorized wheelchairs operated by  
22 handicapped persons;

23 [(71)] (72) "Wrecker" or "tow truck", any emergency  
24 commercial vehicle equipped, designed and used to assist or  
25 render aid and transport or tow disabled or wrecked vehicles from  
26 a highway, road, street or highway rights-of-way to a point of  
27 storage or repair, including towing a replacement vehicle to  
28 replace a disabled or wrecked vehicle;

1            [(72)] (73) "Wrecker or towing service", the act of  
2 transporting, towing or recovering with a wrecker, tow truck,  
3 rollback or car carrier any vehicle not owned by the operator of  
4 the wrecker, tow truck, rollback or car carrier for which the  
5 operator directly or indirectly receives compensation or other  
6 personal gain.

7            301.020. 1. Every owner of a motor vehicle or trailer,  
8 which shall be operated or driven upon the highways of this  
9 state, except as herein otherwise expressly provided, shall  
10 annually file, by mail or otherwise, in the office of the  
11 director of revenue, an application for registration on a blank  
12 to be furnished by the director of revenue for that purpose  
13 containing:

14            (1) A brief description of the motor vehicle or trailer to  
15 be registered, including the name of the manufacturer, the  
16 vehicle identification number, the amount of motive power of the  
17 motor vehicle, stated in figures of horsepower and whether the  
18 motor vehicle is to be registered as a motor vehicle primarily  
19 for business use as defined in section 301.010;

20            (2) The name, the applicant's identification number and  
21 address of the owner of such motor vehicle or trailer;

22            (3) The gross weight of the vehicle and the desired load in  
23 pounds if the vehicle is a commercial motor vehicle or trailer.

24            2. If the vehicle is a motor vehicle primarily for business  
25 use as defined in section 301.010 and if such vehicle is five  
26 years of age or less, the director of revenue shall retain the  
27 odometer information provided in the vehicle inspection report,  
28 and provide for prompt access to such information, together with

1 the vehicle identification number for the motor vehicle to which  
2 such information pertains, for a period of five years after the  
3 receipt of such information. This section shall not apply  
4 unless:

5 (1) The application for the vehicle's certificate of  
6 ownership was submitted after July 1, 1989; and

7 (2) The certificate was issued pursuant to a manufacturer's  
8 statement of origin.

9 3. If the vehicle is any motor vehicle other than a motor  
10 vehicle primarily for business use, a recreational motor vehicle,  
11 motorcycle, motortricycle, autocycle, bus, or any commercial  
12 motor vehicle licensed for over twelve thousand pounds and if  
13 such motor vehicle is five years of age or less, the director of  
14 revenue shall retain the odometer information provided in the  
15 vehicle inspection report, and provide for prompt access to such  
16 information, together with the vehicle identification number for  
17 the motor vehicle to which such information pertains, for a  
18 period of five years after the receipt of such information. This  
19 subsection shall not apply unless:

20 (1) The application for the vehicle's certificate of  
21 ownership was submitted after July 1, 1990; and

22 (2) The certificate was issued pursuant to a manufacturer's  
23 statement of origin.

24 4. If the vehicle qualifies as a reconstructed motor  
25 vehicle, motor change vehicle, specially constructed motor  
26 vehicle, non-USA-std motor vehicle, as defined in section  
27 301.010, or prior salvage as referenced in section 301.573, the  
28 owner or lienholder shall surrender the certificate of ownership.

1 The owner shall make an application for a new certificate of  
2 ownership, pay the required title fee, and obtain the vehicle  
3 examination certificate required pursuant to subsection 9 of  
4 section 301.190. If an insurance company pays a claim on a  
5 salvage vehicle as defined in section 301.010 and the owner  
6 retains the vehicle, as prior salvage, the vehicle shall only be  
7 required to meet the examination requirements under subsection 10  
8 of section 301.190. Notarized bills of sale along with a copy of  
9 the front and back of the certificate of ownership for all major  
10 component parts installed on the vehicle and invoices for all  
11 essential parts which are not defined as major component parts  
12 shall accompany the application for a new certificate of  
13 ownership. If the vehicle is a specially constructed motor  
14 vehicle, as defined in section 301.010, two pictures of the  
15 vehicle shall be submitted with the application. If the vehicle  
16 is a kit vehicle, the applicant shall submit the invoice and the  
17 manufacturer's statement of origin on the kit. If the vehicle  
18 requires the issuance of a special number by the director of  
19 revenue or a replacement vehicle identification number, the  
20 applicant shall submit the required application and application  
21 fee. All applications required under this subsection shall be  
22 submitted with any applicable taxes which may be due on the  
23 purchase of the vehicle or parts. The director of revenue shall  
24 appropriately designate "Reconstructed Motor Vehicle", "Motor  
25 Change Vehicle", "Non-USA-Std Motor Vehicle", or "Specially  
26 Constructed Motor Vehicle" on the current and all subsequent  
27 issues of the certificate of ownership of such vehicle.

28 5. Every insurance company that pays a claim for repair of



1 a motor vehicle which as the result of such repairs becomes a  
2 reconstructed motor vehicle as defined in section 301.010 or that  
3 pays a claim on a salvage vehicle as defined in section 301.010  
4 and the owner is retaining the vehicle shall in writing notify  
5 the owner of the vehicle, and in a first party claim, the  
6 lienholder if a lien is in effect, that he is required to  
7 surrender the certificate of ownership, and the documents and  
8 fees required pursuant to subsection 4 of this section to obtain  
9 a prior salvage motor vehicle certificate of ownership or  
10 documents and fees as otherwise required by law to obtain a  
11 salvage certificate of ownership, from the director of revenue.  
12 The insurance company shall within thirty days of the payment of  
13 such claims report to the director of revenue the name and  
14 address of such owner, the year, make, model, vehicle  
15 identification number, and license plate number of the vehicle,  
16 and the date of loss and payment.

17 6. Anyone who fails to comply with the requirements of this  
18 section shall be guilty of a class B misdemeanor.

19 7. An applicant for registration may make a donation of one  
20 dollar to promote a blindness education, screening and treatment  
21 program. The director of revenue shall collect the donations and  
22 deposit all such donations in the state treasury to the credit of  
23 the blindness education, screening and treatment program fund  
24 established in section 209.015. Moneys in the blindness  
25 education, screening and treatment program fund shall be used  
26 solely for the purposes established in section 209.015; except  
27 that the department of revenue shall retain no more than one  
28 percent for its administrative costs. The donation prescribed in

1 this subsection is voluntary and may be refused by the applicant  
2 for registration at the time of issuance or renewal. The  
3 director shall inquire of each applicant at the time the  
4 applicant presents the completed application to the director  
5 whether the applicant is interested in making the one dollar  
6 donation prescribed in this subsection.

7 8. An applicant for registration may make a donation of one  
8 dollar to promote an organ donor program. The director of  
9 revenue shall collect the donations and deposit all such  
10 donations in the state treasury to the credit of the organ donor  
11 program fund as established in sections 194.297 to 194.304.  
12 Moneys in the organ donor fund shall be used solely for the  
13 purposes established in sections 194.297 to 194.304, except that  
14 the department of revenue shall retain no more than one percent  
15 for its administrative costs. The donation prescribed in this  
16 subsection is voluntary and may be refused by the applicant for  
17 registration at the time of issuance or renewal. The director  
18 shall inquire of each applicant at the time the applicant  
19 presents the completed application to the director whether the  
20 applicant is interested in making the one dollar donation  
21 prescribed in this subsection.

22 301.055. 1. The annual registration fee for motor vehicles  
23 other than commercial motor vehicles is:

24	Less than 12 horsepower	\$18.00
25	12 horsepower and less than 24 horsepower	21.00
26	24 horsepower and less than 36 horsepower	24.00
27	36 horsepower and less than 48 horsepower	33.00
28	48 horsepower and less than 60 horsepower	39.00

1	60 horsepower and less than 72 horsepower	45.00
2	72 horsepower and more	51.00
3	Motorcycles	8.50
4	Motortricycles	10.00
5	<u>Autocycles</u>	<u>10.00</u>

6       2. Notwithstanding any other provision of law, the  
7 registration of any autocycle registered as a motorcycle or  
8 motortricycle prior to August 28, 2018, shall remain in effect  
9 until the expiration of the registration period for such vehicle  
10 at which time the owner shall be required to renew the motor  
11 vehicle's registration under the autocycle classification and pay  
12 the appropriate registration fee.

13       301.130. 1. The director of revenue, upon receipt of a  
14 proper application for registration, required fees and any other  
15 information which may be required by law, shall issue to the  
16 applicant a certificate of registration in such manner and form  
17 as the director of revenue may prescribe and a set of license  
18 plates, or other evidence of registration, as provided by this  
19 section. Each set of license plates shall bear the name or  
20 abbreviated name of this state, the words "SHOW-ME STATE", the  
21 month and year in which the registration shall expire, and an  
22 arrangement of numbers or letters, or both, as shall be assigned  
23 from year to year by the director of revenue. The plates shall  
24 also contain fully reflective material with a common color scheme  
25 and design for each type of license plate issued pursuant to this  
26 chapter. The plates shall be clearly visible at night, and shall  
27 be aesthetically attractive. Special plates for qualified  
28 disabled veterans will have the "DISABLED VETERAN" wording on the

1 license plates in preference to the words "SHOW-ME STATE" and  
2 special plates for members of the National Guard will have the  
3 "NATIONAL GUARD" wording in preference to the words "SHOW-ME  
4 STATE".

5 2. The arrangement of letters and numbers of license plates  
6 shall be uniform throughout each classification of registration.  
7 The director may provide for the arrangement of the numbers in  
8 groups or otherwise, and for other distinguishing marks on the  
9 plates.

10 3. All property-carrying commercial motor vehicles to be  
11 registered at a gross weight in excess of twelve thousand pounds,  
12 all passenger-carrying commercial motor vehicles, local transit  
13 buses, school buses, trailers, semitrailers, motorcycles,  
14 motortricycles, autocycles, motorscooters, and driveaway vehicles  
15 shall be registered with the director of revenue as provided for  
16 in subsection 3 of section 301.030, or with the state highways  
17 and transportation commission as otherwise provided in this  
18 chapter, but only one license plate shall be issued for each such  
19 vehicle, except as provided in this subsection. The applicant  
20 for registration of any property-carrying commercial vehicle  
21 registered at a gross weight in excess of twelve thousand pounds  
22 may request and be issued two license plates for such vehicle,  
23 and if such plates are issued, the director of revenue shall  
24 provide for distinguishing marks on the plates indicating one  
25 plate is for the front and the other is for the rear of such  
26 vehicle. The director may assess and collect an additional  
27 charge from the applicant in an amount not to exceed the fee  
28 prescribed for personalized license plates in subsection 1 of

1 section 301.144.

2 4. The plates issued to manufacturers and dealers shall  
3 bear the letters and numbers as prescribed by section 301.560,  
4 and the director may place upon the plates other letters or marks  
5 to distinguish commercial motor vehicles and trailers and other  
6 types of motor vehicles.

7 5. No motor vehicle or trailer shall be operated on any  
8 highway of this state unless it shall have displayed thereon the  
9 license plate or set of license plates issued by the director of  
10 revenue or the state highways and transportation commission and  
11 authorized by section 301.140. Each such plate shall be securely  
12 fastened to the motor vehicle or trailer in a manner so that all  
13 parts thereof shall be plainly visible and reasonably clean so  
14 that the reflective qualities thereof are not impaired. Each  
15 such plate may be encased in a transparent cover so long as the  
16 plate is plainly visible and its reflective qualities are not  
17 impaired. License plates shall be fastened to all motor vehicles  
18 except trucks, tractors, truck tractors or truck-tractors  
19 licensed in excess of twelve thousand pounds on the front and  
20 rear of such vehicles not less than eight nor more than forty-  
21 eight inches above the ground, with the letters and numbers  
22 thereon right side up. The license plates on trailers,  
23 motorcycles, motortricycles, autocycles, and motorscooters shall  
24 be displayed on the rear of such vehicles either horizontally or  
25 vertically, with the letters and numbers plainly visible. The  
26 license plate on buses, other than school buses, and on trucks,  
27 tractors, truck tractors or truck-tractors licensed in excess of  
28 twelve thousand pounds shall be displayed on the front of such

1 vehicles not less than eight nor more than forty-eight inches  
2 above the ground, with the letters and numbers thereon right side  
3 up or if two plates are issued for the vehicle pursuant to  
4 subsection 3 of this section, displayed in the same manner on the  
5 front and rear of such vehicles. The license plate or plates  
6 authorized by section 301.140, when properly attached, shall be  
7 prima facie evidence that the required fees have been paid.

8         6. (1) The director of revenue shall issue annually or  
9 biennially a tab or set of tabs as provided by law as evidence of  
10 the annual payment of registration fees and the current  
11 registration of a vehicle in lieu of the set of plates.  
12 Beginning January 1, 2010, the director may prescribe any  
13 additional information recorded on the tab or tabs to ensure that  
14 the tab or tabs positively correlate with the license plate or  
15 plates issued by the department of revenue for such vehicle.  
16 Such tabs shall be produced in each license bureau office.

17         (2) The vehicle owner to whom a tab or set of tabs is  
18 issued shall affix and display such tab or tabs in the designated  
19 area of the license plate, no more than one per plate.

20         (3) A tab or set of tabs issued by the director of revenue  
21 when attached to a vehicle in the prescribed manner shall be  
22 prima facie evidence that the registration fee for such vehicle  
23 has been paid.

24         (4) Except as otherwise provided in this section, the  
25 director of revenue shall issue plates for a period of at least  
26 six years.

27         (5) For those commercial motor vehicles and trailers  
28 registered pursuant to section 301.041, the plate issued by the

1 highways and transportation commission shall be a permanent  
2 nonexpiring license plate for which no tabs shall be issued.  
3 Nothing in this section shall relieve the owner of any vehicle  
4 permanently registered pursuant to this section from the  
5 obligation to pay the annual registration fee due for the  
6 vehicle. The permanent nonexpiring license plate shall be  
7 returned to the highways and transportation commission upon the  
8 sale or disposal of the vehicle by the owner to whom the  
9 permanent nonexpiring license plate is issued, or the plate may  
10 be transferred to a replacement commercial motor vehicle when the  
11 owner files a supplemental application with the Missouri highways  
12 and transportation commission for the registration of such  
13 replacement commercial motor vehicle. Upon payment of the annual  
14 registration fee, the highways and transportation commission  
15 shall issue a certificate of registration or other suitable  
16 evidence of payment of the annual fee, and such evidence of  
17 payment shall be carried at all times in the vehicle for which it  
18 is issued.

19 (6) Upon the sale or disposal of any vehicle permanently  
20 registered under this section, or upon the termination of a lease  
21 of any such vehicle, the permanent nonexpiring plate issued for  
22 such vehicle shall be returned to the highways and transportation  
23 commission and shall not be valid for operation of such vehicle,  
24 or the plate may be transferred to a replacement vehicle when the  
25 owner files a supplemental application with the Missouri highways  
26 and transportation commission for the registration of such  
27 replacement vehicle. If a vehicle which is permanently  
28 registered under this section is sold, wrecked or otherwise

1 disposed of, or the lease terminated, the registrant shall be  
2 given credit for any unused portion of the annual registration  
3 fee when the vehicle is replaced by the purchase or lease of  
4 another vehicle during the registration year.

5 7. The director of revenue and the highways and  
6 transportation commission may prescribe rules and regulations for  
7 the effective administration of this section. No rule or portion  
8 of a rule promulgated under the authority of this section shall  
9 become effective unless it has been promulgated pursuant to the  
10 provisions of section 536.024.

11 8. Notwithstanding the provisions of any other law to the  
12 contrary, owners of motor vehicles other than apportioned motor  
13 vehicles or commercial motor vehicles licensed in excess of  
14 twenty-four thousand pounds gross weight may apply for special  
15 personalized license plates. Vehicles licensed for twenty-four  
16 thousand pounds that display special personalized license plates  
17 shall be subject to the provisions of subsections 1 and 2 of  
18 section 301.030. On and after August 28, 2016, owners of motor  
19 vehicles, other than apportioned motor vehicles or commercial  
20 motor vehicles licensed in excess of twenty-four thousand pounds  
21 gross weight, may apply for any preexisting or hereafter  
22 statutorily created special personalized license plates.

23 9. No later than January 1, 2019, the director of revenue  
24 shall commence the reissuance of new license plates of such  
25 design as approved by the advisory committee under section  
26 301.125 consistent with the terms, conditions, and provisions of  
27 section 301.125 and this chapter. Except as otherwise provided  
28 in this section, in addition to all other fees required by law,



1 applicants for registration of vehicles with license plates that  
2 expire during the period of reissuance, applicants for  
3 registration of trailers or semitrailers with license plates that  
4 expire during the period of reissuance and applicants for  
5 registration of vehicles that are to be issued new license plates  
6 during the period of reissuance shall pay the cost of the plates  
7 required by this subsection. The additional cost prescribed in  
8 this subsection shall not be charged to persons receiving special  
9 license plates issued under section 301.073 or 301.443. Historic  
10 motor vehicle license plates registered pursuant to section  
11 301.131 and specialized license plates are exempt from the  
12 provisions of this subsection. Except for new, replacement, and  
13 transfer applications, permanent nonexpiring license plates  
14 issued to commercial motor vehicles and trailers registered under  
15 section 301.041 are exempt from the provisions of this  
16 subsection.

17 301.350. 1. Upon receipt of an application for  
18 registration of a motor vehicle, trailer, manufacturer or dealer,  
19 as provided in this chapter, the director of revenue shall file  
20 such application and register such motor vehicle, trailer,  
21 manufacturer or dealer, together with the facts stated in the  
22 application, under a distinctive number assigned to such motor  
23 vehicle, trailer, manufacturer or dealer. Separate records shall  
24 be kept as follows:

- 25 (1) Motor vehicles registered by owners;
- 26 (2) Commercial motor vehicles;
- 27 (3) Trailers;
- 28 (4) Motorcycles and motor tricycles;

1           (5) Autocycles;

2           (6) Manufacturers and dealers.

3           2. The director of revenue may keep such other  
4 classifications and records as he may deem necessary and may  
5 enter contracts or agreements or otherwise make arrangements for  
6 computerized access to odometer and title information.

7           3. All of such books and records shall be kept open to  
8 public inspection during reasonable business hours.

9           4. The governor may cause the records of the department of  
10 revenue to be audited by the state auditor at any time.

11           302.170. 1. As used in this section, the following terms  
12 shall mean:

13           (1) "Biometric data", shall include, but not be limited to,  
14 the following:

15           (a) Facial feature pattern characteristics;

16           (b) Voice data used for comparing live speech with a  
17 previously created speech model of a person's voice;

18           (c) Iris recognition data containing color or texture  
19 patterns or codes;

20           (d) Retinal scans, reading through the pupil to measure  
21 blood vessels lining the retina;

22           (e) Fingerprint, palm prints, hand geometry, measure of any  
23 and all characteristics of biometric information, including shape  
24 and length of fingertips, or recording ridge pattern or fingertip  
25 characteristics;

26           (f) Eye spacing;

27           (g) Characteristic gait or walk;

28           (h) DNA;

1 (i) Keystroke dynamic, measuring pressure applied to key  
2 pads or other digital receiving devices;

3 (2) "Commercial purposes", shall not include data used or  
4 compiled solely to be used for, or obtained or compiled solely  
5 for purposes expressly allowed under Missouri law or the federal  
6 Drivers Privacy Protection Act;

7 (3) "Source documents", original or certified copies, where  
8 applicable, of documents presented by an applicant as required  
9 under 6 CFR Part 37 to the department of revenue to apply for a  
10 driver's license or nondriver's license. Source documents shall  
11 also include any documents required for the issuance of driver's  
12 licenses or nondriver's licenses by the department of revenue  
13 under the provisions of this chapter or accompanying regulations.

14 2. Except as provided in subsection 3 of this section and  
15 as required to carry out the provisions of subsection 4 of this  
16 section, the department of revenue shall not retain copies, in  
17 any format, of source documents presented by individuals applying  
18 for or holding driver's licenses or nondriver's licenses or use  
19 technology to capture digital images of source documents so that  
20 the images are capable of being retained in electronic storage in  
21 a transferable format. Documents retained as provided or  
22 required by subsections 3 and 4 of this section shall be stored  
23 solely on a system not connected to the internet nor to a wide  
24 area network that connects to the internet. Once stored on such  
25 system, the documents and data shall be purged from any systems  
26 on which they were previously stored so as to make them  
27 irretrievable.

28 3. The provisions of this section shall not apply to:

1 (1) Original application forms, which may be retained but  
2 not scanned except as provided in this section;

3 (2) Test score documents issued by state highway patrol  
4 driver examiners;

5 (3) Documents demonstrating lawful presence of any  
6 applicant who is not a citizen of the United States, including  
7 documents demonstrating duration of the person's lawful presence  
8 in the United States;

9 (4) Any document required to be retained under federal  
10 motor carrier regulations in Title 49, Code of Federal  
11 Regulations, including but not limited to documents required by  
12 federal law for the issuance of a commercial driver's license and  
13 a commercial driver instruction permit; [and]

14 (5) Documents submitted by a commercial driver's license  
15 applicant who is a Missouri resident and is active duty military  
16 or a veteran, as "veteran" is defined in 38 U.S.C. 101, which  
17 allow for waiver of the commercial driver's license knowledge  
18 test, skills test, or both; and

19 (6) Any other document at the request of and for the  
20 convenience of the applicant where the applicant requests the  
21 department of revenue review alternative documents as proof  
22 required for issuance of a driver's license, nondriver's license,  
23 or instruction permit.

24 4. (1) To the extent not prohibited under subsection 13 of  
25 this section, the department of revenue shall amend procedures  
26 for applying for a driver's license or identification card in  
27 order to comply with the goals or standards of the federal REAL  
28 ID Act of 2005, any rules or regulations promulgated under the

1 authority granted in such Act, or any requirements adopted by the  
2 American Association of Motor Vehicle Administrators for  
3 furtherance of the Act, unless such action conflicts with  
4 Missouri law.

5 (2) The department of revenue shall issue driver's licenses  
6 or identification cards that are compliant with the federal REAL  
7 ID Act of 2005, as amended, to all applicants for driver's  
8 licenses or identification cards unless an applicant requests a  
9 driver's license or identification card that is not REAL ID  
10 compliant. Except as provided in subsection 3 of this section  
11 and as required to carry out the provisions of this subsection,  
12 the department of revenue shall not retain the source documents  
13 of individuals applying for driver's licenses or identification  
14 cards not compliant with REAL ID. Upon initial application for a  
15 driver's license or identification card, the department shall  
16 inform applicants of the option of being issued a REAL ID  
17 compliant driver's license or identification card or a driver's  
18 license or identification card that is not compliant with REAL  
19 ID. The department shall inform all applicants:

20 (a) With regard to the REAL ID compliant driver's license  
21 or identification card:

22 a. Such card is valid for official state purposes and for  
23 official federal purposes as outlined in the federal REAL ID Act  
24 of 2005, as amended, such as domestic air travel and seeking  
25 access to military bases and most federal facilities;

26 b. Electronic copies of source documents will be retained  
27 by the department and destroyed after the minimum time required  
28 for retention by the federal REAL ID Act of 2005, as amended;

1           c. The facial image capture will only be retained by the  
2 department if the application is finished and submitted to the  
3 department; and

4           d. Any other information the department deems necessary to  
5 inform the applicant about the REAL ID compliant driver's license  
6 or identification card under the federal REAL ID Act;

7           (b) With regard to a driver's license or identification  
8 card that is not compliant with the federal REAL ID Act:

9           a. Such card is valid for official state purposes, but it  
10 is not valid for official federal purposes as outlined in the  
11 federal REAL ID Act of 2005, as amended, such as domestic air  
12 travel and seeking access to military bases and most federal  
13 facilities;

14           b. Source documents will be verified but no copies of such  
15 documents will be retained by the department unless permitted  
16 under subsection 3 of this section, except as necessary to  
17 process a request by a license or card holder or applicant;

18           c. Any other information the department deems necessary to  
19 inform the applicant about the driver's license or identification  
20 card.

21           5. The department of revenue shall not use, collect,  
22 obtain, share, or retain biometric data nor shall the department  
23 use biometric technology to produce a driver's license or  
24 nondriver's license or to uniquely identify licensees or license  
25 applicants. This subsection shall not apply to digital images  
26 nor licensee signatures required for the issuance of driver's  
27 licenses and nondriver's licenses or to biometric data collected  
28 from employees of the department of revenue, employees of the

1 office of administration who provide information technology  
2 support to the department of revenue, contracted license offices,  
3 and contracted manufacturers engaged in the production,  
4 processing, or manufacture of driver's licenses or identification  
5 cards in positions which require a background check in order to  
6 be compliant with the federal REAL ID Act or any rules or  
7 regulations promulgated under the authority of such Act. Except  
8 as otherwise provided by law, applicants' source documents and  
9 Social Security numbers shall not be stored in any database  
10 accessible by any other state or the federal government. Such  
11 database shall contain only the data fields included on driver's  
12 licenses and nondriver identification cards compliant with the  
13 federal REAL ID Act, and the driving records of the individuals  
14 holding such driver's licenses and nondriver identification  
15 cards.

16 6. Notwithstanding any provision of this chapter that  
17 requires an applicant to provide reasonable proof of lawful  
18 presence for issuance or renewal of a noncommercial driver's  
19 license, noncommercial instruction permit, or a nondriver's  
20 license, an applicant shall not have his or her privacy rights  
21 violated in order to obtain or renew a Missouri noncommercial  
22 driver's license, noncommercial instruction permit, or a  
23 nondriver's license.

24 7. No citizen of this state shall have his or her privacy  
25 compromised by the state or agents of the state. The state shall  
26 within reason protect the sovereignty of the citizens the state  
27 is entrusted to protect. Any data derived from a person's  
28 application shall not be sold for commercial purposes to any

1 other organization or any other state without the express  
2 permission of the applicant without a court order; except such  
3 information may be shared with a law enforcement agency, judge,  
4 prosecuting attorney, or officer of the court, or with another  
5 state for the limited purposes set out in section 302.600, or for  
6 the purposes set forth in section 32.091, or for conducting  
7 driver history checks in compliance with the Motor Carrier Safety  
8 Improvement Act, 49 U.S.C. Section 31309. The state of Missouri  
9 shall protect the privacy of its citizens when handling any  
10 written, digital, or electronic data, and shall not participate  
11 in any standardized identification system using driver's and  
12 nondriver's license records except as provided in this section.

13 8. Other than to process a request by a license or card  
14 holder or applicant, no person shall access, distribute, or allow  
15 access to or distribution of any written, digital, or electronic  
16 data collected or retained under this section without the express  
17 permission of the applicant or a court order, except that such  
18 information may be shared with a law enforcement agency, judge,  
19 prosecuting attorney, or officer of the court, or with another  
20 state for the limited purposes set out in section 302.600 or for  
21 conducting driver history checks in compliance with the Motor  
22 Carrier Safety Improvement Act, 49 U.S.C. Section 31309. A first  
23 violation of this subsection shall be a class A misdemeanor. A  
24 second violation of this subsection shall be a class E felony. A  
25 third or subsequent violation of this subsection shall be a class  
26 D felony.

27 9. Any person harmed or damaged by any violation of this  
28 section may bring a civil action for damages, including



1 noneconomic and punitive damages, as well as injunctive relief,  
2 in the circuit court where that person resided at the time of the  
3 violation or in the circuit court of Cole County to recover such  
4 damages from the department of revenue and any persons  
5 participating in such violation. Sovereign immunity shall not be  
6 available as a defense for the department of revenue in such an  
7 action. In the event the plaintiff prevails on any count of his  
8 or her claim, the plaintiff shall be entitled to recover  
9 reasonable attorney fees from the defendants.

10 10. The department of revenue may promulgate rules  
11 necessary to implement the provisions of this section. Any rule  
12 or portion of a rule, as that term is defined in section 536.010,  
13 that is created under the authority delegated in this section  
14 shall become effective only if it complies with and is subject to  
15 all of the provisions of chapter 536 and, if applicable, section  
16 536.028. This section and chapter 536 are nonseverable and if  
17 any of the powers vested with the general assembly pursuant to  
18 chapter 536 to review, to delay the effective date, or to  
19 disapprove and annul a rule are subsequently held  
20 unconstitutional, then the grant of rulemaking authority and any  
21 rule proposed or adopted after August 28, 2017, shall be invalid  
22 and void.

23 11. Biometric data, digital images, source documents, and  
24 licensee signatures, or any copies of the same, required to be  
25 collected or retained to comply with the requirements of the  
26 federal REAL ID Act of 2005 shall be retained for no longer than  
27 the minimum duration required to maintain compliance, and  
28 immediately thereafter shall be securely destroyed so as to make

1 them irretrievable.

2 12. No agency, department, or official of this state or of  
3 any political subdivision thereof shall use, collect, obtain,  
4 share, or retain radio frequency identification data from a REAL  
5 ID compliant driver's license or identification card issued by a  
6 state, nor use the same to uniquely identify any individual.

7 13. Notwithstanding any provision of law to the contrary,  
8 the department of revenue shall not amend procedures for applying  
9 for a driver's license or identification card, nor promulgate any  
10 rule or regulation, for purposes of complying with modifications  
11 made to the federal REAL ID Act of 2005 after August 28, 2017,  
12 imposing additional requirements on applications, document  
13 retention, or issuance of compliant licenses or cards, including  
14 any rules or regulations promulgated under the authority granted  
15 under the federal REAL ID Act of 2005, as amended, or any  
16 requirements adopted by the American Association of Motor Vehicle  
17 Administrators for furtherance thereof.

18 14. If the federal REAL ID Act of 2005 is modified or  
19 repealed such that driver's licenses and identification cards  
20 issued by this state that are not compliant with the federal REAL  
21 ID Act of 2005 are once again sufficient for federal  
22 identification purposes, the department shall not issue a  
23 driver's license or identification card that complies with the  
24 federal REAL ID Act of 2005 and shall securely destroy, within  
25 thirty days, any source documents retained by the department for  
26 the purpose of compliance with such Act.

27 15. The provisions of this section shall expire five years  
28 after August 28, 2017.

1           302.173. 1. Any applicant for a license, who does not  
2 possess a valid license issued pursuant to the laws of this  
3 state, another state, or a country which has a reciprocal  
4 agreement with the state of Missouri regarding the exchange of  
5 licenses pursuant to section 302.172 shall be examined as herein  
6 provided. Any person who has failed to renew such person's  
7 license on or before the date of its expiration or within six  
8 months thereafter must take the complete examination. Any active  
9 member of the Armed Forces, their adult dependents or any active  
10 member of the Peace Corps may apply for a renewal license without  
11 examination of any kind, unless otherwise required by sections  
12 302.700 to 302.780, provided the renewal application shows that  
13 the previous license had not been suspended or revoked. Any  
14 person honorably discharged from the Armed Forces of the United  
15 States who held a valid license prior to being inducted may apply  
16 for a renewal license within sixty days after such person's  
17 honorable discharge without submitting to any examination of such  
18 person's ability to safely operate a motor vehicle over the  
19 highways of this state unless otherwise required by sections  
20 302.700 to 302.780, other than the vision test provided in  
21 section 302.175, unless the facts set out in the renewal  
22 application or record of convictions on the expiring license, or  
23 the records of the director show that there is good cause to  
24 authorize the director to require the applicant to submit to the  
25 complete examination. No applicant for a renewal license shall  
26 be required to submit to any examination of his or her ability to  
27 safely operate a motor vehicle over the highways of this state  
28 unless otherwise required by sections 302.700 to 302.780 or

1 regulations promulgated thereunder, other than a test of the  
2 applicant's ability to understand highway signs regulating,  
3 warning or directing traffic and the vision test provided in  
4 section 302.175, unless the facts set out in the renewal  
5 application or record of convictions on the expiring license, or  
6 the records of the director show that there is good cause to  
7 authorize the director to require the applicant to submit to the  
8 complete examination. The examination shall be made available in  
9 each county. Reasonable notice of the time and place of the  
10 examination shall be given the applicant by the person or officer  
11 designated to conduct it. The complete examination shall include  
12 a test of the applicant's natural or corrected vision as  
13 prescribed in section 302.175, the applicant's ability to  
14 understand highway signs regulating, warning or directing  
15 traffic, the applicant's practical knowledge of the traffic laws  
16 of this state, and an actual demonstration of ability to exercise  
17 due care in the operation of a motor vehicle of the  
18 classification for which the license is sought. When an  
19 applicant for a license has a license from a state which has  
20 requirements for issuance of a license comparable to the Missouri  
21 requirements or a license from a country which has a reciprocal  
22 agreement with the state of Missouri regarding the exchange of  
23 licenses pursuant to section 302.172 and such license has not  
24 expired more than six months prior to the date of application for  
25 the Missouri license, the director may waive the test of the  
26 applicant's practical knowledge of the traffic laws of this  
27 state, and the requirement of actual demonstration of ability to  
28 exercise due care in the operation of a motor vehicle. If the

1 director has reasonable grounds to believe that an applicant is  
2 suffering from some known physical or mental ailment which  
3 ordinarily would interfere with the applicant's fitness to  
4 operate a motor vehicle safely upon the highways, the director  
5 may require that the examination include a physical or mental  
6 examination by a licensed physician of the applicant's choice, at  
7 the applicant's expense, to determine the fact. The director  
8 shall prescribe regulations to ensure uniformity in the  
9 examinations and in the grading thereof and shall prescribe and  
10 furnish all forms to the members of the highway patrol and to  
11 other persons authorized to conduct examinations as may be  
12 necessary to enable the officer or person to properly conduct the  
13 examination. The records of the examination shall be forwarded  
14 to the director who shall not issue any license hereunder if in  
15 the director's opinion the applicant is not qualified to operate  
16 a motor vehicle safely upon the highways of this state.

17 2. Beginning July 1, 2005, when the examiner has reasonable  
18 grounds to believe that an individual has committed fraud or  
19 deception during the examination process, the license examiner  
20 shall immediately forward to the director all information  
21 relevant to any fraud or deception, including, but not limited  
22 to, a statement of the examiner's grounds for belief that the  
23 person committed or attempted to commit fraud or deception in the  
24 written, skills, or vision examination.

25 3. The director of revenue shall delegate the power to  
26 conduct the examinations required for a license or permit to any  
27 member of the highway patrol or any person employed by the  
28 highway patrol. The powers delegated to any examiner may be

1 revoked at any time by the director of revenue upon notice.

2 4. Notwithstanding the requirements of subsections 1 and 3  
3 of this section, the successful completion of a motorcycle rider  
4 training course approved pursuant to sections 302.133 to 302.137  
5 shall constitute an actual demonstration of the person's ability  
6 to exercise due care in the operation of a motorcycle or  
7 motortricycle, and no further practical knowledge or driving test  
8 shall be required to obtain a motorcycle or motortricycle license  
9 or endorsement. The motorcycle rider training course completion  
10 shall be accepted for purposes of motorcycle license or  
11 endorsement issuance for one year from the date of course  
12 completion.

13 5. Notwithstanding the requirements of subsections 1 and 3  
14 of this section, the successful completion of a military  
15 motorcycle rider training course that meets or exceeds the  
16 Motorcycle Safety Foundation curriculum standards by an applicant  
17 who is an active member of the [U.S.] United States Armed Forces,  
18 shall constitute an actual demonstration of the person's ability  
19 to exercise due care in the operation of a motorcycle or  
20 motortricycle, and no further practical knowledge or driving test  
21 shall be required to obtain a motorcycle or motortricycle license  
22 or endorsement. The military motorcycle rider training course  
23 completion shall be accepted for purposes of motorcycle license  
24 or endorsement issuance for one year from the date of course  
25 completion. The director of revenue is authorized to promulgate  
26 rules and regulations for the administration and implementation  
27 of this subsection including rules governing the presentment of  
28 motorcycle training course completion cards from a military

1 motorcycle rider training course or other documentation showing  
2 that the applicant has successfully completed a course in basic  
3 motorcycle safety instruction that meets or exceeds curriculum  
4 standards established by the Motorcycle Safety Foundation or  
5 other national organization whose purpose is to improve the  
6 safety of motorcyclists on the nation's streets and highways.  
7 Any rule or portion of a rule, as that term is defined in section  
8 536.010, that is created under the authority delegated in this  
9 section shall become effective only if it complies with and is  
10 subject to all of the provisions of chapter 536 and, if  
11 applicable, section 536.028. This section and chapter 536 are  
12 nonseverable and if any of the powers vested with the general  
13 assembly pursuant to chapter 536 to review, to delay the  
14 effective date, or to disapprove and annul a rule are  
15 subsequently held unconstitutional, then the grant of rulemaking  
16 authority and any rule proposed or adopted after August 28, 2012,  
17 shall be invalid and void.

18 302.174. 1. As used in this section, the following terms  
19 mean:

20 (1) "Deaf person", any person who, because of hearing loss,  
21 is not able to discriminate speech when spoken in a normal  
22 conversation tone regardless of the use of amplification devices;

23 (2) ["Hearing-impaired person", any person who, because of  
24 hearing loss, has a diminished capacity to discriminate speech  
25 when spoken in a normal conversational tone;

26 (3) "J88"] "DHH", a notation on a driver's license that  
27 indicates the person is a deaf or [hearing-impaired] hard of  
28 hearing person who uses alternative communication;

1           (3) "Hard of hearing person", any person who, because of  
2 hearing loss, has a diminished capacity to discriminate speech  
3 when spoken in a normal conversation tone.

4           2. Any resident of this state who is a deaf or  
5 [hearing-impaired] hard of hearing person may apply to the  
6 department of revenue to have the notation "[J88] DHH" placed on  
7 the person's driver's license. The department of revenue, by  
8 rule, may establish the cost and criteria for placement of the  
9 "[J88] DHH" notation, such as requiring an applicant to submit  
10 certain medical proof of deafness or hearing [impairment] loss.  
11 The department may also, by rule, elect to use the phrase "deaf  
12 or hard of hearing" in lieu of the notation "DHH" on a driver's  
13 license.

14           3. The Missouri commission for the deaf and hard of hearing  
15 shall make an informational video in American Sign Language  
16 explaining what a "DHH" notation means on a driver's license and  
17 informing Missourians of their right to receive a license with  
18 the "DHH" notation under this section. This video shall also be  
19 captioned in English and converted to QR-Code which shall be  
20 posted in a conspicuous place at every driver's license office in  
21 Missouri.

22           4. Any rule or portion of a rule, as that term is defined  
23 in section 536.010, that is created under the authority delegated  
24 in this section shall become effective only if it complies with  
25 and is subject to all of the provisions of chapter 536 and, if  
26 applicable, section 536.028. This section and chapter 536 are  
27 nonseverable and if any of the powers vested with the general  
28 assembly pursuant to chapter 536 to review, to delay the



1 effective date or to disapprove and annul a rule are subsequently  
2 held unconstitutional, then the grant of rulemaking authority and  
3 any rule proposed or adopted after August 28, 2001, shall be  
4 invalid and void.

5 302.720. 1. Except when operating under an instruction  
6 permit as described in this section, no person may drive a  
7 commercial motor vehicle unless the person has been issued a  
8 commercial driver's license with applicable endorsements valid  
9 for the type of vehicle being operated as specified in sections  
10 302.700 to 302.780. A commercial driver's instruction permit  
11 shall allow the holder of a valid license to operate a commercial  
12 motor vehicle when accompanied by the holder of a commercial  
13 driver's license valid for the vehicle being operated and who  
14 occupies a seat beside the individual, or reasonably near the  
15 individual in the case of buses, for the purpose of giving  
16 instruction in driving the commercial motor vehicle. No person  
17 may be issued a commercial driver's instruction permit until he  
18 or she has passed written tests which comply with the minimum  
19 federal standards. A commercial driver's instruction permit  
20 shall be valid for the vehicle being operated for a period of not  
21 more than six months, and shall not be issued until the permit  
22 holder has met all other requirements of sections 302.700 to  
23 302.780, except for the driving test. A permit holder, unless  
24 otherwise disqualified, may be granted one six-month renewal  
25 within a one-year period. The fee for such permit or renewal  
26 shall be five dollars. In the alternative, a commercial driver's  
27 instruction permit shall be issued for a thirty-day period to  
28 allow the holder of a valid driver's license to operate a

1 commercial motor vehicle if the applicant has completed all other  
2 requirements except the driving test. The permit may be renewed  
3 for one additional thirty-day period and the fee for the permit  
4 and for renewal shall be five dollars.

5 2. No person may be issued a commercial driver's license  
6 until he has passed written and driving tests for the operation  
7 of a commercial motor vehicle which complies with the minimum  
8 federal standards established by the Secretary and has satisfied  
9 all other requirements of the Commercial Motor Vehicle Safety Act  
10 of 1986 (Title XII of Pub. Law 99-570), as well as any other  
11 requirements imposed by state law. All applicants for a  
12 commercial driver's license shall have maintained the appropriate  
13 class of commercial driver's instruction permit issued by this  
14 state or any other state for a minimum of fourteen calendar days  
15 prior to the date of taking the skills test. Applicants for a  
16 hazardous materials endorsement must also meet the requirements  
17 of the U.S. Patriot Act of 2001 (Title X of Public Law 107-56) as  
18 specified and required by regulations promulgated by the  
19 Secretary. Nothing contained in this subsection shall be  
20 construed as prohibiting the director from establishing alternate  
21 testing formats for those who are functionally illiterate;  
22 provided, however, that any such alternate test must comply with  
23 the minimum requirements of the Commercial Motor Vehicle Safety  
24 Act of 1986 (Title XII of Pub. Law 99-570) as established by the  
25 Secretary.

26 (1) The written and driving tests shall be held at such  
27 times and in such places as the superintendent may designate. A  
28 twenty-five dollar examination fee shall be paid by the applicant

1 upon completion of any written or driving test, except the  
2 examination fee shall be waived for applicants seventy years of  
3 age or older renewing a license with a school bus endorsement.  
4 The director shall delegate the power to conduct the examinations  
5 required under sections 302.700 to 302.780 to any member of the  
6 highway patrol or any person employed by the highway patrol  
7 qualified to give driving examinations. The written test shall  
8 only be administered in the English language. No translators  
9 shall be allowed for applicants taking the test.

10 (2) The director shall adopt and promulgate rules and  
11 regulations governing the certification of third-party testers by  
12 the department of revenue. Such rules and regulations shall  
13 substantially comply with the requirements of 49 CFR 383, Section  
14 383.75. A certification to conduct third-party testing shall be  
15 valid for one year, and the department shall charge a fee of one  
16 hundred dollars to issue or renew the certification of any  
17 third-party tester.

18 (3) Beginning August 28, 2006, the director shall only  
19 issue or renew third-party tester certification to community  
20 colleges established under chapter 178 or to private companies  
21 who own, lease, or maintain their own fleet and administer  
22 in-house testing to their employees, or to school districts and  
23 their agents that administer in-house testing to the school  
24 district's or agent's employees. Any third-party tester who  
25 violates any of the rules and regulations adopted and promulgated  
26 pursuant to this section shall be subject to having his  
27 certification revoked by the department. The department shall  
28 provide written notice and an opportunity for the third-party

1 tester to be heard in substantially the same manner as provided  
2 in chapter 536. If any applicant submits evidence that he has  
3 successfully completed a test administered by a third-party  
4 tester, the actual driving test for a commercial driver's license  
5 may then be waived.

6 (4) Every applicant for renewal of a commercial driver's  
7 license shall provide such certifications and information as  
8 required by the Secretary and if such person transports a  
9 hazardous material must also meet the requirements of the U.S.  
10 Patriot Act of 2001 (Title X of Public Law 107-56) as specified  
11 and required by regulations promulgated by the Secretary. Such  
12 person shall be required to take the written test for such  
13 endorsement. A twenty-five dollar examination fee shall be paid  
14 upon completion of such tests.

15 (5) The director shall have the authority to waive the  
16 knowledge and driving skills [test] tests for any qualified  
17 military applicant for a commercial driver's license who is  
18 currently licensed at the time of application for a commercial  
19 driver's license. The director shall impose conditions and  
20 limitations to restrict the applicants from whom the department  
21 may accept alternative requirements for the knowledge and skills  
22 [test] tests described in federal regulation 49 CFR 383.71 and 49  
23 CFR 383.77. An applicant must certify that, during the two-year  
24 period immediately preceding application for a commercial  
25 driver's license, all of the following apply:

26 (a) The applicant has not had more than one license;

27 (b) The applicant has not had any license suspended,  
28 revoked, or cancelled;

1 (c) The applicant has not had any convictions for any type  
2 of motor vehicle for the disqualifying offenses contained in this  
3 chapter or federal rule 49 CFR 383.51(b);

4 (d) The applicant has not had more than one conviction for  
5 any type of motor vehicle for serious traffic violations;

6 (e) The applicant has not had any conviction for a  
7 violation of state or local law relating to motor vehicle traffic  
8 control, but not including any parking violation, arising in  
9 connection with any traffic accident, and has no record of an  
10 accident in which he or she was at fault;

11 (f) The applicant has been regularly employed within the  
12 last [ninety days] year in a military position requiring  
13 operation of a commercial motor vehicle and has operated the  
14 vehicle for at least sixty days during the two years immediately  
15 preceding application for a commercial driver's license. The  
16 vehicle must be representative of the commercial motor vehicle  
17 the driver applicant operates or expects to operate;

18 (g) The applicant, if on active duty, must provide a  
19 notarized affidavit signed by a commanding officer as proof of  
20 driving experience as indicated in paragraph (f) of this  
21 subdivision;

22 (h) The applicant, if honorably discharged from military  
23 service, must provide a form-DD214 or other proof of military  
24 occupational specialty;

25 (i) The applicant must meet all federal and state  
26 qualifications to operate a commercial vehicle; and

27 (j) The applicant will be required to complete all  
28 applicable knowledge tests, except when the applicant provides

1 proof of approved military training sufficient for waiver of the  
2 knowledge and skills tests as specified in subdivision (5) of  
3 subsection 3 of section 302.170.

4 3. A commercial driver's license or commercial driver's  
5 instruction permit may not be issued to a person while the person  
6 is disqualified from driving a commercial motor vehicle, when a  
7 disqualification is pending in any state or while the person's  
8 driver's license is suspended, revoked, or cancelled in any  
9 state; nor may a commercial driver's license be issued unless the  
10 person first surrenders in a manner prescribed by the director  
11 any commercial driver's license issued by another state, which  
12 license shall be returned to the issuing state for cancellation.

13 4. Beginning July 1, 2005, the director shall not issue an  
14 instruction permit under this section unless the director  
15 verifies that the applicant is lawfully present in the United  
16 States before accepting the application. The director may, by  
17 rule or regulation, establish procedures to verify the lawful  
18 presence of the applicant under this section. No rule or portion  
19 of a rule promulgated pursuant to the authority of this section  
20 shall become effective unless it has been promulgated pursuant to  
21 chapter 536.

22 5. Notwithstanding the provisions of this section or any  
23 other law to the contrary, beginning August 28, 2008, the  
24 director of the department of revenue shall certify as a  
25 third-party tester any municipality that owns, leases, or  
26 maintains its own fleet that requires certain employees as a  
27 condition of employment to hold a valid commercial driver's  
28 license; and that administered in-house testing to such employees

1 prior to August 28, 2006.

2 304.005. 1. As used in this section, the term "autocycle"  
3 means a three-wheeled motor vehicle which the drivers and  
4 passengers ride in a partially or completely enclosed nonstraddle  
5 seating area, that is designed to be controlled with a steering  
6 wheel and pedals, and that has met applicable Department of  
7 Transportation National Highway Traffic Safety Administration  
8 requirements or Federal Motorcycle Safety Standards.

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

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

19 304.012. 1. Every person operating a motor vehicle on the  
20 roads and highways of this state shall drive the vehicle in a  
21 careful and prudent manner and at a rate of speed so as not to  
22 endanger the property of another or the life or limb of any  
23 person and shall exercise the highest degree of care.

24 2. Violations of the degree of care required in subsection  
25 1 of this section shall include, but not be limited to, operation  
26 of a vehicle while using a cell phone, personal digital  
27 assistant, electronic device with mobile data access, laptop  
28 computer, pager, electronic game, portable computing device, or

1 global navigation satellite system receiver other than via hands-  
2 free or voice-operated technology which may include the use of a  
3 headset, or while otherwise diverting one's attention from safe  
4 operation of the vehicle. This subsection shall not apply to the  
5 use of a device or technology that is permanently embedded into  
6 the architecture and design of the motor vehicle, but the use of  
7 such embedded device or technology shall be subject to subsection  
8 1 of this section.

9       3. Any person who violates the provisions of this section  
10 is guilty of a class B misdemeanor and shall be fined not less  
11 than one hundred dollars, unless an accident is involved then it  
12 shall be a class A misdemeanor and the person shall be fined not  
13 less than five hundred dollars.

14       304.060. 1. The state board of education shall adopt and  
15 enforce regulations not inconsistent with law to cover the design  
16 and operation of all school buses used for the transportation of  
17 school children when owned and operated by any school district or  
18 privately owned and operated under contract with any school  
19 district in this state, and such regulations shall by reference  
20 be made a part of any such contract with a school district. The  
21 state board of education may adopt rules and regulations  
22 governing the use of other vehicles owned by a district or  
23 operated under contract with any school district in this state  
24 and used for the purpose of transporting school children. The  
25 operator of such vehicle shall be licensed in accordance with  
26 section 302.272, and such vehicle shall transport no more  
27 children than the manufacturer suggests as appropriate for such  
28 vehicle. The state board of education may also adopt rules and



1 regulations governing the use of authorized common carriers for  
2 the transportation of students on field trips or other special  
3 trips for educational purposes. Every school district, its  
4 officers and employees, and every person employed under contract  
5 by a school district shall be subject to such regulations. The  
6 state board of education shall cooperate with the state  
7 transportation department and the state highway patrol in placing  
8 suitable warning signs at intervals on the highways of the state.

9       2. Notwithstanding the provisions of subsection 1 of this  
10 section, any school board in the state of Missouri in an urban  
11 district containing the greater part of the population of a city  
12 which has more than three hundred thousand inhabitants may  
13 contract with any municipality, bi-state agency, or other  
14 governmental entity for the purpose of transporting school  
15 children attending a grade or grades not lower than the ninth nor  
16 higher than the twelfth grade, provided that such contract shall  
17 be for additional transportation services, and shall not replace  
18 or fulfill any of the school district's obligations pursuant to  
19 section 167.231. The school district may notify students of the  
20 option to use district contracted transportation services.

21       3. Any officer or employee of any school district who  
22 violates any of the regulations or fails to include obligation to  
23 comply with such regulations in any contract executed by him on  
24 behalf of a school district shall be guilty of misconduct and  
25 subject to removal from office or employment. Any person  
26 operating a school bus under contract with a school district who  
27 fails to comply with any such regulations shall be guilty of  
28 breach of contract and such contract shall be cancelled after

1 notice and hearing by the responsible officers of such school  
2 district.

3 [3.] 4. Any other provision of the law to the contrary  
4 notwithstanding, in any county of the first class with a charter  
5 form of government adjoining a city not within a county, school  
6 buses may bear the word "special".

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

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

25 3. Subject to the limit upon the weight imposed upon a  
26 highway of this state through any one axle or on any tandem axle,  
27 the total gross weight with load imposed by any group of two or  
28 more consecutive axles of any vehicle or combination of vehicles

1 shall not exceed the maximum load in pounds as set forth in the  
 2 following table:

3 Distance in feet between the  
 4 extremes of any group of two or  
 5 more consecutive axles,  
 6 measured to the nearest foot,  
 7 except where indicated otherwise

8 Maximum load in pounds

9	feet	2	3 axles	4	5 axles	6 axles
		axles		axles		
10	4	34,00				
		0				
11	5	34,00				
		0				
12	6	34,00				
		0				
13	7	34,00				
		0				
14	8	34,00	34,000			
		0				
15	More than	38,00	42,000			
16	8	0				
17	9	39,00	42,500			
		0				
18	10	40,00	43,500			
		0				
19	11	40,00	44,000			
		0				

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1	12	40,00	45,000	50,000		
		0				
2	13	40,00	45,500	50,500		
		0				
3	14	40,00	46,500	51,500		
		0				
4	15	40,00	47,000	52,000		
		0				
5	16	40,00	48,000	52,500	58,000	
		0				
6	17	40,00	48,500	53,500	58,500	
		0				
7	18	40,00	49,500	54,000	59,000	
		0				
8	19	40,00	50,000	54,500	60,000	
		0				
9	20	40,00	51,000	55,500	60,500	66,000
		0				
10	21	40,00	51,500	56,000	61,000	66,500
		0				
11	22	40,00	52,500	56,500	61,500	67,000
		0				
12	23	40,00	53,000	57,500	62,500	68,000
		0				
13	24	40,00	54,000	58,000	63,000	68,500
		0				
14	25	40,00	54,500	58,500	63,500	69,000
		0				

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1	26	40,00	55,500	59,500	64,000	69,500
		0				
2	27	40,00	56,000	60,000	65,000	70,000
		0				
3	28	40,00	57,000	60,500	65,500	71,000
		0				
4	29	40,00	57,50	61,500	66,000	71,500
		0	0			
5	30	40,00	58,50	62,000	66,500	72,000
		0	0			
6	31	40,00	59,00	62,500	67,500	72,500
		0	0			
7	32	40,00	60,00	63,500	68,000	73,000
		0	0			
8	33	40,00	60,00	64,000	68,500	74,000
		0	0			
9	34	40,00	60,00	64,500	69,000	74,500
		0	0			
10	35	40,00	60,00	65,500	70,000	75,000
		0	0			
11	36		60,00	66,000	70,500	75,500
			0			
12	37		60,00	66,500	71,000	76,000
			0			
13	38		60,00	67,500	72,000	77,000
			0			
14	39		60,00	68,000	72,500	77,500
			0			

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1	40	60,00	68,500	73,000	78,000
		0			
2	41	60,00	69,500	73,500	78,500
		0			
3	42	60,00	70,000	74,000	79,000
		0			
4	43	60,00	70,500	75,000	80,000
		0			
5	44	60,00	71,500	75,500	80,000
		0			
6	45	60,00	72,000	76,000	80,000
		0			
7	46	60,00	72,500	76,500	80,000
		0			
8	47	60,00	73,500	77,500	80,000
		0			
9	48	60,00	74,000	78,000	80,000
		0			
10	49	60,00	74,500	78,500	80,000
		0			
11	50	60,00	75,500	79,000	80,000
		0			
12	51	60,00	76,000	80,000	80,000
		0			
13	52	60,00	76,500	80,000	80,000
		0			
14	53	60,00	77,500	80,000	80,000
		0			

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1	54	60,00	78,000	80,000	80,000
		0			
2	55	60,00	78,500	80,000	80,000
		0			
3	56	60,00	79,500	80,000	80,000
		0			
4	57	60,00	80,000	80,000	80,000
		0			

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

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

22 5. Nothing in this section shall be construed as permitting  
23 lawful axle loads, tandem axle loads or gross loads in excess of  
24 those permitted under the provisions of P.L. 97-424 codified in

1 Title 23 of the United States Code (23 U.S.C. Section 101, et  
2 al.), as amended.

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

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

20 8. Notwithstanding the provision of this section to the  
21 contrary, the maximum gross vehicle limit and axle weight limit  
22 for any vehicle or combination of vehicles equipped with an idle  
23 reduction technology may be increased by a quantity necessary to  
24 compensate for the additional weight of the idle reduction system  
25 as provided for in 23 U.S.C. Section 127, as amended. In no case  
26 shall the additional weight increase allowed by this subsection  
27 be greater than five hundred fifty pounds. Upon request by an  
28 appropriate law enforcement officer, the vehicle operator shall



1 provide proof that the idle reduction technology is fully  
2 functional at all times and that the gross weight increase is not  
3 used for any purpose other than for the use of idle reduction  
4 technology.

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

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

23 11. Notwithstanding any provision of this section or any  
24 other law to the contrary, the commission shall issue emergency  
25 utility response permits for the transporting of utility wires or  
26 cables, poles, and equipment needed for repair work immediately  
27 following a disaster where utility service has been disrupted.  
28 Under exigent circumstances, verbal approval of such operation

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

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

28 13. Notwithstanding any provision of this section to the

1 contrary, a vehicle operated by an engine fueled primarily by  
2 natural gas may operate upon the public highways of this state in  
3 excess of the vehicle weight limits set forth in this section by  
4 an amount that is equal to the difference between the weight of  
5 the vehicle attributable to the natural gas tank and fueling  
6 system carried by that vehicle and the weight of a comparable  
7 diesel tank and fueling system. In no event shall the maximum  
8 gross vehicle weight of the vehicle operating with a natural gas  
9 engine exceed eighty-two thousand pounds.

10 304.820. 1. [Except as otherwise provided in this section,  
11 no person twenty-one years of age or younger operating a moving  
12 motor vehicle upon the highways of this state shall, by means of  
13 a hand-held electronic wireless communications device, send,  
14 read, or write a text message or electronic message.

15 2.] Except as otherwise provided in this section, no person  
16 shall operate a commercial motor vehicle while using a hand-held  
17 mobile telephone.

18 [3.] 2. Except as otherwise provided in this section, no  
19 person shall operate a commercial motor vehicle while using a  
20 wireless communications device to send, read, or write a text  
21 message or electronic message.

22 [4.] 3. The provisions of [subsection] subsections 1  
23 [through subsection 3] and 2 of this section shall not apply to a  
24 person operating:

25 (1) An authorized emergency vehicle; or

26 (2) A moving motor vehicle while using a hand-held  
27 electronic wireless communications device to:

28 (a) Report illegal activity;

1 (b) Summon medical or other emergency help; or  
2 (c) Prevent injury to a person or property[; or  
3 (d) Relay information between a transit or for-hire  
4 operator and that operator's dispatcher, in which the device is  
5 permanently affixed to the vehicle].

6 [5. Nothing in this section shall be construed or  
7 interpreted as prohibiting a person from making or taking part in  
8 a telephone call, by means of a hand-held electronic wireless  
9 communications device, while operating a noncommercial motor  
10 vehicle upon the highways of this state.

11 [6.] 4. As used in this section, "electronic message" means  
12 a self-contained piece of digital communication that is designed  
13 or intended to be transmitted between hand-held electronic  
14 wireless communication devices. "Electronic message" includes,  
15 but is not limited to, electronic mail, a text message, an  
16 instant message, or a command or request to access an internet  
17 site.

18 [7.] 5. As used in this section, "hand-held electronic  
19 wireless communications device" includes any hand-held cellular  
20 phone, palm pilot, blackberry, or other mobile electronic device  
21 used to communicate verbally or by text or electronic messaging,  
22 but shall not apply to any device that is permanently embedded  
23 into the architecture and design of the motor vehicle.

24 [8.] 6. As used in this section, "making or taking part in  
25 a telephone call" means listening to or engaging in verbal  
26 communication through a hand-held electronic wireless  
27 communication device.

28 [9.] 7. As used in this section, "send, read, or write a

1 text message or electronic message" means using a hand-held  
2 electronic wireless telecommunications device to manually  
3 communicate with any person by using an electronic message.  
4 Sending, reading, or writing a text message or electronic message  
5 does not include reading, selecting, or entering a phone number  
6 or name into a hand-held electronic wireless communications  
7 device for the purpose of making a telephone call.

8 [10.] 8. A violation of this section shall be deemed an  
9 infraction and shall be deemed a moving violation for purposes of  
10 point assessment under section 302.302.

11 [11.] 9. With this section and section 304.012, the state  
12 preempts the field of regulating the use of hand-held electronic  
13 wireless communications devices in motor vehicles, and the  
14 provisions of this section shall supercede any local laws,  
15 ordinances, orders, rules, or regulations enacted by a county,  
16 municipality, or other political subdivision to regulate the use  
17 of hand-held electronic wireless communication devices by the  
18 operator of a motor vehicle.

19 [12.] 10. The provisions of this section shall not apply  
20 to:

21 (1) The operator of a vehicle that is lawfully parked or  
22 stopped;

23 (2) Any of the following while in the performance of their  
24 official duties: a law enforcement officer; a member of a fire  
25 department; or the operator of a public or private ambulance;

26 (3) The use of factory-installed or aftermarket global  
27 positioning systems (GPS) or wireless communications devices used  
28 to transmit or receive data as part of a digital dispatch system;

1 (4) The use of voice-operated technology;

2 (5) The use of two-way radio transmitters or receivers by a  
3 licensee of the Federal Communications Commission in the Amateur  
4 Radio Service.

5 306.126. 1. The operator of a motorboat shall not allow  
6 any person to ride or sit on the gunwales, decking over the bow,  
7 railing, top of seat back or decking over the back of the  
8 motorboat while under way, unless such person is inboard of  
9 adequate guards or railing provided on the motorboat to prevent a  
10 passenger from being lost overboard. As used in this section,  
11 the term "adequate guards or railing" means guards or railings  
12 having a height parameter of at least six inches but not more  
13 than eighteen inches. Nothing in this section shall be construed  
14 to mean that passengers or other persons aboard a motorboat  
15 cannot occupy the decking over the bow of the boat to moor it to  
16 a mooring buoy or to cast off from such a buoy, or for any other  
17 necessary purpose. The provisions of this section shall not  
18 apply to vessels propelled by sail or vessels propelled by jet  
19 motors or propellers operating on a stretch of waterway not  
20 created or widened by impoundment.

21 2. Whenever any person leaves any watercraft, other than a  
22 personal watercraft, on the waters of the Mississippi River, the  
23 waters of the Missouri River or the lakes of this state and  
24 enters the water between the hours of 11:00 a.m. and sunset, the  
25 operator of such watercraft shall display on the watercraft a red  
26 or orange flag measuring not less than twelve inches by twelve  
27 inches. The provisions of this subsection shall not apply to  
28 watercraft that is moored or anchored. The flag required by this

1 subsection shall be visible for three hundred sixty degrees  
2 around the horizon when displayed and shall be displayed only  
3 when an occupant of the watercraft has left the confines of the  
4 watercraft and entered the water. The flag required by this  
5 subsection shall not be displayed when the watercraft is engaged  
6 in towing any person, but shall be displayed when such person has  
7 ceased being towed and has reentered the water.

8 3. No operator shall knowingly operate any watercraft  
9 within fifty yards of a flag required by subsection 2 of this  
10 section at a speed in excess of a slow-no wake speed.

11 307.175. 1. Motor vehicles and equipment which are  
12 operated by any member of an organized fire department, ambulance  
13 association, or rescue squad, whether paid or volunteer, may be  
14 operated on streets and highways in this state as an emergency  
15 vehicle under the provisions of section 304.022 while responding  
16 to a fire call or ambulance call or at the scene of a fire call  
17 or ambulance call and while using or sounding a warning siren and  
18 using or displaying thereon fixed, flashing or rotating blue  
19 lights, but sirens and blue lights shall be used only in bona  
20 fide emergencies.

21 2. (1) Notwithstanding subsection 1 of this section, the  
22 following vehicles may use or display fixed, flashing, or  
23 rotating red or red and blue lights:

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

26 (b) Vehicles operated as described in subsection 1 of this  
27 section;

28 (c) Vehicles and equipment owned or leased by a contractor

1 or subcontractor performing work for the department of  
2 transportation, except that the red or red and blue lights shall  
3 be displayed on vehicles or equipment described in this paragraph  
4 only between dusk and dawn, when such vehicles or equipment are  
5 stationary, such vehicles or equipment are located in a work zone  
6 as defined in section 304.580, highway workers as defined in  
7 section 304.580 are present, and such work zone is designated by  
8 a sign or signs. No more than two vehicles or pieces of  
9 equipment in a work zone may display fixed, flashing, or rotating  
10 lights under this subdivision.

11 (2) The following vehicles and equipment may use or display  
12 fixed, flashing, or rotating amber or amber and white lights:

13 (a) Vehicles and equipment owned or leased by the state  
14 highways and transportation commission and operated by an  
15 authorized employee of the department of transportation;

16 (b) Vehicles and equipment owned or leased by a contractor  
17 or subcontractor performing work for the department of  
18 transportation, except that the amber or amber and white lights  
19 shall be displayed on vehicles described in this paragraph only  
20 when such vehicles or equipment are [stationary] located in a  
21 work zone as defined in section 304.580, highway workers as  
22 defined in section 304.580 are present, and such work zone is  
23 designated by a sign or signs;

24 (c) Vehicles and equipment operated by a utility worker  
25 performing work for the utility, except that the amber or amber  
26 and white lights shall be displayed on vehicles described in this  
27 paragraph only when such vehicles are stationary, such vehicles  
28 or equipment are located in a work zone as defined in section



1 304.580, a utility worker is present, and such work zone is  
2 designated by a sign or signs. As used in this paragraph, the  
3 term "utility worker" means any employee while in performance of  
4 his or her job duties, including any person employed under  
5 contract of a utility that provides gas, heat, electricity,  
6 water, steam, telecommunications or cable services, or sewer  
7 services, whether privately, municipally, or cooperatively owned.

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

19 414.032. 1. All kerosene, diesel fuel, heating oil,  
20 aviation turbine fuel, gasoline, gasoline-alcohol blends and  
21 other motor fuels shall meet the requirements in the annual book  
22 of ASTM standards and supplements thereto. The director may  
23 promulgate rules and regulations on the labeling, standards for,  
24 and identity of motor fuels and heating oils.

25 2. The director may inspect gasoline, gasoline-alcohol  
26 blends or other motor fuels to insure that these fuels conform to  
27 advertised grade and octane. In no event shall the penalty for a  
28 first violation of this section exceed a written reprimand.

1           3. The director may waive specific requirements in this  
2 section and in regulations promulgated according to this section,  
3 or may establish temporary alternative requirements for fuels as  
4 determined to be necessary in the event of an extreme and unusual  
5 fuel supply circumstance as a result of a petroleum pipeline or  
6 petroleum refinery equipment failure, emergency, or a natural  
7 disaster as determined by the director for a specified period of  
8 time.

9           4. Any waiver issued under subsection 3 of this section  
10 shall be as limited in scope and applicability as necessary, and  
11 shall apply equally and uniformly to all persons and companies in  
12 the impacted petroleum motor fuel supply and distribution system,  
13 including but not limited to petroleum producers, terminals,  
14 distributors, and retailers.

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