

FIRST REGULAR SESSION
HOUSE COMMITTEE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 147
100TH GENERAL ASSEMBLY

0387H.03C

DANA RADEMAN MILLER, Chief Clerk

AN ACT

To repeal sections 301.010, 301.030, and 302.020, RSMo, and to enact in lieu thereof four new sections relating to motor vehicles, with penalty provisions.

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

Section A. Sections 301.010, 301.030, and 302.020, RSMo, are repealed and four new
2 sections enacted in lieu thereof, to be known as sections 301.010, 301.030, 302.020, and
3 302.026, to read as follows:

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

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

6 (2) "Autocycle", a three-wheeled motor vehicle which the drivers and passengers ride
7 in a partially or completely enclosed nonstraddle seating area~~[-that is designed to be controlled~~
8 ~~with a steering wheel and pedals,]~~ and that has met applicable Department of Transportation
9 National Highway Traffic Safety Administration requirements or federal motorcycle safety
10 standards;

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

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

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

- 17 (5) "Backhaul", the return trip of a vehicle transporting cargo or general freight,
18 especially when carrying goods back over all or part of the same route;
- 19 (6) "Boat transporter", any vehicle combination capable of carrying cargo on the power
20 unit and designed and used specifically to transport assembled boats and boat hulls. Boats may
21 be partially disassembled to facilitate transporting;
- 22 (7) "Body shop", a business that repairs physical damage on motor vehicles that are not
23 owned by the shop or its officers or employees by mending, straightening, replacing body parts,
24 or painting;
- 25 (8) "Bus", a motor vehicle primarily for the transportation of a driver and eight or more
26 passengers but not including shuttle buses;
- 27 (9) "Commercial motor vehicle", a motor vehicle designed or regularly used for carrying
28 freight and merchandise, or more than eight passengers but not including vanpools or shuttle
29 buses;
- 30 (10) "Cotton trailer", a trailer designed and used exclusively for transporting cotton at
31 speeds less than forty miles per hour from field to field or from field to market and return;
- 32 (11) "Dealer", any person, firm, corporation, association, agent or subagent engaged in
33 the sale or exchange of new, used or reconstructed motor vehicles or trailers;
- 34 (12) "Director" or "director of revenue", the director of the department of revenue;
- 35 (13) "Driveaway operation":
- 36 (a) The movement of a motor vehicle or trailer by any person or motor carrier other than
37 a dealer over any public highway, under its own power singly, or in a fixed combination of two
38 or more vehicles, for the purpose of delivery for sale or for delivery either before or after sale;
- 39 (b) The movement of any vehicle or vehicles, not owned by the transporter, constituting
40 the commodity being transported, by a person engaged in the business of furnishing drivers and
41 operators for the purpose of transporting vehicles in transit from one place to another by the
42 driveaway or towaway methods; or
- 43 (c) The movement of a motor vehicle by any person who is lawfully engaged in the
44 business of transporting or delivering vehicles that are not the person's own and vehicles of a
45 type otherwise required to be registered, by the driveaway or towaway methods, from a point of
46 manufacture, assembly or distribution or from the owner of the vehicles to a dealer or sales agent
47 of a manufacturer or to any consignee designated by the shipper or consignor;
- 48 (14) "Dromedary", a box, deck, or plate mounted behind the cab and forward of the fifth
49 wheel on the frame of the power unit of a truck tractor-semitrailer combination. A truck tractor
50 equipped with a dromedary may carry part of a load when operating independently or in a
51 combination with a semitrailer;
- 52 (15) "Farm tractor", a tractor used exclusively for agricultural purposes;

53 (16) "Fleet", any group of ten or more motor vehicles owned by the same owner;

54 (17) "Fleet vehicle", a motor vehicle which is included as part of a fleet;

55 (18) "Fullmount", a vehicle mounted completely on the frame of either the first or last
56 vehicle in a saddlemount combination;

57 (19) "Gross weight", the weight of vehicle and/or vehicle combination without load, plus
58 the weight of any load thereon;

59 (20) "Hail-damaged vehicle", any vehicle, the body of which has become dented as the
60 result of the impact of hail;

61 (21) "Highway", any public thoroughfare for vehicles, including state roads, county roads
62 and public streets, avenues, boulevards, parkways or alleys in any municipality;

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

65 (23) "Intersecting highway", any highway which joins another, whether or not it crosses
66 the same;

67 (24) "Junk vehicle", a vehicle which:

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

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

72 (25) "Kit vehicle", a motor vehicle assembled by a person other than a generally
73 recognized manufacturer of motor vehicles by the use of a glider kit or replica purchased from
74 an authorized manufacturer and accompanied by a manufacturer's statement of origin;

75 (26) "Land improvement contractors' commercial motor vehicle", any not-for-hire
76 commercial motor vehicle the operation of which is confined to:

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

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

84

85 Nothing in this subdivision shall be construed to prevent any motor vehicle from being registered
86 as a commercial motor vehicle or local commercial motor vehicle;

87 (27) "Local commercial motor vehicle", a commercial motor vehicle whose operations
88 are confined to a municipality and that area extending not more than fifty miles therefrom, or a

89 commercial motor vehicle whose property-carrying operations are confined solely to the
90 transportation of property owned by any person who is the owner or operator of such vehicle to
91 or from a farm owned by such person or under the person's control by virtue of a landlord and
92 tenant lease; provided that any such property transported to any such farm is for use in the
93 operation of such farm;

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

109 (29) "Local log truck tractor", a commercial motor vehicle which is registered under this
110 chapter to operate as a motor vehicle on the public highways of this state, used exclusively in this
111 state, used to transport harvested forest products, operated at a forested site and in an area
112 extending not more than a one hundred mile radius from such site, operates with a weight not
113 exceeding twenty-two thousand four hundred pounds on one axle or with a weight not exceeding
114 forty-four thousand eight hundred pounds on any tandem axle, and when operated on the national
115 system of interstate and defense highways described in 23 U.S.C. Section 103, as amended, or
116 outside the one hundred mile radius from such site with an extended distance local log truck
117 permit, such vehicle does not exceed the weight limits contained in section 304.180, and does
118 not have more than three axles and does not pull a trailer which has more than three axles.
119 Violations of axle weight limitations shall be subject to the load limit penalty as described for
120 in sections 304.180 to 304.220;

121 (30) "Local transit bus", a bus whose operations are confined wholly within a municipal
122 corporation, or wholly within a municipal corporation and a commercial zone, as defined in
123 section 390.020, adjacent thereto, forming a part of a public transportation system within such
124 municipal corporation and such municipal corporation and adjacent commercial zone;

125 (31) "Log truck", a vehicle which is not a local log truck or local log truck tractor and
126 is used exclusively to transport harvested forest products to and from forested sites which is
127 registered pursuant to this chapter to operate as a motor vehicle on the public highways of this
128 state for the transportation of harvested forest products;

129 (32) "Major component parts", the rear clip, cowl, frame, body, cab, front-end assembly,
130 and front clip, as those terms are defined by the director of revenue pursuant to rules and
131 regulations or by illustrations;

132 (33) "Manufacturer", any person, firm, corporation or association engaged in the
133 business of manufacturing or assembling motor vehicles, trailers or vessels for sale;

134 (34) "Motor change vehicle", a vehicle manufactured prior to August, 1957, which
135 receives a new, rebuilt or used engine, and which used the number stamped on the original
136 engine as the vehicle identification number;

137 (35) "Motor vehicle", any self-propelled vehicle not operated exclusively upon tracks,
138 except farm tractors;

139 (36) "Motor vehicle primarily for business use", any vehicle other than a recreational
140 motor vehicle, motorcycle, motortricycle, or any commercial motor vehicle licensed for over
141 twelve thousand pounds:

142 (a) Offered for hire or lease; or

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

144 (37) "Motorcycle", a motor vehicle operated on two wheels;

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

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

153 (40) "Municipality", any city, town or village, whether incorporated or not;

154 (41) "Nonresident", a resident of a state or country other than the state of Missouri;

155 (42) "Non-USA-std motor vehicle", a motor vehicle not originally manufactured in
156 compliance with United States emissions or safety standards;

157 (43) "Operator", any person who operates or drives a motor vehicle;

158 (44) "Owner", any person, firm, corporation or association, who holds the legal title to
159 a vehicle or in the event a vehicle is the subject of an agreement for the conditional sale or lease
160 thereof with the right of purchase upon performance of the conditions stated in the agreement

161 and with an immediate right of possession vested in the conditional vendee or lessee, or in the
162 event a mortgagor of a vehicle is entitled to possession, then such conditional vendee or lessee
163 or mortgagor shall be deemed the owner;

164 (45) "Public garage", a place of business where motor vehicles are housed, stored,
165 repaired, reconstructed or repainted for persons other than the owners or operators of such place
166 of business;

167 (46) "Rebuilder", a business that repairs or rebuilds motor vehicles owned by the
168 rebuilder, but does not include certificated common or contract carriers of persons or property;

169 (47) "Reconstructed motor vehicle", a vehicle that is altered from its original
170 construction by the addition or substitution of two or more new or used major component parts,
171 excluding motor vehicles made from all new parts, and new multistage manufactured vehicles;

172 (48) "Recreational motor vehicle", any motor vehicle designed, constructed or
173 substantially modified so that it may be used and is used for the purposes of temporary housing
174 quarters, including therein sleeping and eating facilities which are either permanently attached
175 to the motor vehicle or attached to a unit which is securely attached to the motor vehicle.
176 Nothing herein shall prevent any motor vehicle from being registered as a commercial motor
177 vehicle if the motor vehicle could otherwise be so registered;

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

182 (50) "Rollback or car carrier", any vehicle specifically designed to transport wrecked,
183 disabled or otherwise inoperable vehicles, when the transportation is directly connected to a
184 wrecker or towing service;

185 (51) "Saddlemount combination", a combination of vehicles in which a truck or truck
186 tractor tows one or more trucks or truck tractors, each connected by a saddle to the frame or fifth
187 wheel of the vehicle in front of it. The "saddle" is a mechanism that connects the front axle of
188 the towed vehicle to the frame or fifth wheel of the vehicle in front and functions like a fifth
189 wheel kingpin connection. When two vehicles are towed in this manner the combination is
190 called a "double saddlemount combination". When three vehicles are towed in this manner, the
191 combination is called a "triple saddlemount combination";

192 (52) "Salvage dealer and dismantler", a business that dismantles used motor vehicles for
193 the sale of the parts thereof, and buys and sells used motor vehicle parts and accessories;

194 (53) "Salvage vehicle", a motor vehicle, semitrailer, or house trailer which:

195 (a) Was damaged during a year that is no more than six years after the manufacturer's
196 model year designation for such vehicle to the extent that the total cost of repairs to rebuild or

197 reconstruct the vehicle to its condition immediately before it was damaged for legal operation
198 on the roads or highways exceeds eighty percent of the fair market value of the vehicle
199 immediately preceding the time it was damaged;

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

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

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

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

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

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

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

220 (54) "School bus", any motor vehicle used solely to transport students to or from school
221 or to transport students to or from any place for educational purposes;

222 (55) "Scrap processor", a business that, through the use of fixed or mobile equipment,
223 flattens, crushes, or otherwise accepts motor vehicles and vehicle parts for processing or
224 transportation to a shredder or scrap metal operator for recycling;

225 (56) "Shuttle bus", a motor vehicle used or maintained by any person, firm, or
226 corporation as an incidental service to transport patrons or customers of the regular business of
227 such person, firm, or corporation to and from the place of business of the person, firm, or
228 corporation providing the service at no fee or charge. Shuttle buses shall not be registered as
229 buses or as commercial motor vehicles;

230 (57) "Special mobile equipment", every self-propelled vehicle not designed or used
231 primarily for the transportation of persons or property and incidentally operated or moved over
232 the highways, including farm equipment, implements of husbandry, road construction or

233 maintenance machinery, ditch-digging apparatus, stone crushers, air compressors, power shovels,
234 cranes, graders, rollers, well-drillers and wood-sawing equipment used for hire, asphalt
235 spreaders, bituminous mixers, bucket loaders, ditchers, leveling graders, finished machines,
236 motor graders, road rollers, scarifiers, earth-moving carryalls, scrapers, drag lines, concrete pump
237 trucks, rock-drilling and earth-moving equipment. This enumeration shall be deemed partial and
238 shall not operate to exclude other such vehicles which are within the general terms of this
239 section;

240 (58) "Specially constructed motor vehicle", a motor vehicle which shall not have been
241 originally constructed under a distinctive name, make, model or type by a manufacturer of motor
242 vehicles. The term specially constructed motor vehicle includes kit vehicles;

243 (59) "Stinger-steered combination", a truck tractor-semitrailer wherein the fifth wheel
244 is located on a drop frame located behind and below the rearmost axle of the power unit;

245 (60) "Tandem axle", a group of two or more axles, arranged one behind another, the
246 distance between the extremes of which is more than forty inches and not more than ninety-six
247 inches apart;

248 (61) "Towaway trailer transporter combination", a combination of vehicles consisting
249 of a trailer transporter towing unit and two trailers or semitrailers, with a total weight that does
250 not exceed twenty-six thousand pounds; and in which the trailers or semitrailers carry no
251 property and constitute inventory property of a manufacturer, distributor, or dealer of such trailers
252 or semitrailers;

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

256 (63) "Trailer", any vehicle without motive power designed for carrying property or
257 passengers on its own structure and for being drawn by a self-propelled vehicle, except those
258 running exclusively on tracks, including a semitrailer or vehicle of the trailer type so designed
259 and used in conjunction with a self-propelled vehicle that a considerable part of its own weight
260 rests upon and is carried by the towing vehicle. The term trailer shall not include cotton trailers
261 as defined in this section and shall not include manufactured homes as defined in section
262 700.010;

263 (64) "Trailer transporter towing unit", a power unit that is not used to carry property
264 when operating in a towaway trailer transporter combination;

265 (65) "Truck", a motor vehicle designed, used, or maintained for the transportation of
266 property;

267 (66) "Truck-tractor semitrailer-semitrailer", a combination vehicle in which the two
268 trailing units are connected with a B-train assembly which is a rigid frame extension attached to

269 the rear frame of a first semitrailer which allows for a fifth-wheel connection point for the second
270 semitrailer and has one less articulation point than the conventional A-dolly connected truck-
271 tractor semitrailer-trailer combination;

272 (67) "Truck-trailer boat transporter combination", a boat transporter combination
273 consisting of a straight truck towing a trailer using typically a ball and socket connection with
274 the trailer axle located substantially at the trailer center of gravity rather than the rear of the
275 trailer but so as to maintain a downward force on the trailer tongue;

276 (68) "Used parts dealer", a business that buys and sells used motor vehicle parts or
277 accessories, but not including a business that sells only new, remanufactured or rebuilt parts.
278 Business does not include isolated sales at a swap meet of less than three days;

279 (69) "Utility vehicle", any motorized vehicle manufactured and used exclusively for off-
280 highway use which is more than fifty inches but no more than sixty-seven inches in width, with
281 an unladen dry weight of two thousand pounds or less, traveling on four or six wheels, to be used
282 primarily for landscaping, lawn care, or maintenance purposes;

283 (70) "Vanpool", any van or other motor vehicle used or maintained by any person, group,
284 firm, corporation, association, city, county or state agency, or any member thereof, for the
285 transportation of not less than eight nor more than forty-eight employees, per motor vehicle, to
286 and from their place of employment; however, a vanpool shall not be included in the definition
287 of the term bus or commercial motor vehicle as defined in this section, nor shall a vanpool driver
288 be deemed a chauffeur as that term is defined by section 303.020; nor shall use of a vanpool
289 vehicle for ride-sharing arrangements, recreational, personal, or maintenance uses constitute an
290 unlicensed use of the motor vehicle, unless used for monetary profit other than for use in a ride-
291 sharing arrangement;

292 (71) "Vehicle", any mechanical device on wheels, designed primarily for use, or used,
293 on highways, except motorized bicycles, vehicles propelled or drawn by horses or human power,
294 or vehicles used exclusively on fixed rails or tracks, or cotton trailers or motorized wheelchairs
295 operated by handicapped persons;

296 (72) "Wrecker" or "tow truck", any emergency commercial vehicle equipped, designed
297 and used to assist or render aid and transport or tow disabled or wrecked vehicles from a
298 highway, road, street or highway rights-of-way to a point of storage or repair, including towing
299 a replacement vehicle to replace a disabled or wrecked vehicle;

300 (73) "Wrecker or towing service", the act of transporting, towing or recovering with a
301 wrecker, tow truck, rollback or car carrier any vehicle not owned by the operator of the wrecker,
302 tow truck, rollback or car carrier for which the operator directly or indirectly receives
303 compensation or other personal gain.

301.030. 1. The director shall provide for the retention of license plates by the owners
2 of motor vehicles, other than commercial motor vehicles, and shall establish a system of
3 registration on a monthly series basis to distribute the work of registering motor vehicles as
4 uniformly as practicable throughout the twelve months of the calendar year. For the purpose of
5 assigning license plate numbers, each type of motor vehicle shall be considered a separate class.
6 Commencing July 1, 1949, motor vehicles, other than commercial motor vehicles, shall be
7 registered for a period of twelve consecutive calendar months. There are established twelve
8 registration periods, each of which shall start on the first day of each calendar month of the year
9 and shall end on the last date of the twelfth month from the date of beginning. **Fees for the**
10 **renewal of noncommercial motor vehicle registrations shall be payable no later than the**
11 **last day of the month that follows the twelfth month of the expired registration period. No**
12 **delinquent renewal penalty shall be assessed under section 301.050, and no violation shall**
13 **be issued under section 301.020 for an expired registration, prior to the second month that**
14 **follows the twelfth month of the expired registration period.**

15 2. Motor vehicles, other than commercial motor vehicles, operated for the first time upon
16 the public highways of this state, to and including the fifteenth day of any given month, shall be
17 subject to registration and payment of a fee for the twelve-month period commencing the first
18 day of the month of such operation; motor vehicles, other than commercial motor vehicles,
19 operated for the first time on the public highways of this state after the fifteenth day of any given
20 month shall be subject to registration and payment of a fee for the twelve-month period
21 commencing the first day of the next following calendar month.

22 3. All commercial motor vehicles and trailers, except those licensed under section
23 301.035 and those operated under agreements as provided for in sections 301.271 to 301.279,
24 shall be registered either on a calendar year basis or on a prorated basis as provided in this
25 section. The fees for commercial motor vehicles, trailers, semitrailers, and driveaway vehicles,
26 other than those to be operated under agreements as provided for in sections 301.271 to 301.279
27 shall be payable not later than the last day of February of each year, except when such vehicle
28 is licensed between April first and July first the fee shall be three-fourths the annual fee, when
29 licensed between July first and October first the fee shall be one-half the annual fee and when
30 licensed on or after October first the fee shall be one-fourth the annual fee. Such license plates
31 shall be made with fully reflective material with a common color scheme and design, shall be
32 clearly visible at night, and shall be aesthetically attractive, as prescribed by section 301.130.
33 Local commercial motor vehicle license plates may also be so stamped, marked or designed as
34 to indicate they are to be used only on local commercial motor vehicles and, in addition to such
35 stamp, mark or design, the letter "F" shall also be displayed on local commercial motor vehicle
36 license plates issued to motor vehicles used for farm or farming transportation operations as

37 defined in section 301.010 in the manner prescribed by the advisory committee established in
38 section 301.129. In addition, all commercial motor vehicle license plates may be so stamped or
39 marked with a letter, figure or other emblem as to indicate the gross weight for which issued.

40 4. The director shall, upon application, issue registration and license plates for nine
41 thousand pounds gross weight for property-carrying commercial motor vehicles referred to
42 herein, upon payment of the fees prescribed for twelve thousand pounds gross weight as provided
43 in section 301.057.

44 5. Notwithstanding any other provision of law to the contrary, any motorcycle or
45 motortricycle registration issued by the Missouri department of revenue shall expire on June
46 thirtieth.

302.020. 1. Unless otherwise provided for by law, it shall be unlawful for any person,
2 except those expressly exempted by section 302.080, to:

3 (1) Operate any vehicle upon any highway in this state unless the person has a valid
4 license;

5 (2) Operate a motorcycle or motortricycle upon any highway of this state unless such
6 person has a valid license that shows the person has successfully passed an examination for the
7 operation of a motorcycle or motortricycle as prescribed by the director. The director may
8 indicate such upon a valid license issued to such person, or shall issue a license restricting the
9 applicant to the operation of a motorcycle or motortricycle if the actual demonstration, required
10 by section 302.173, is conducted on such vehicle;

11 (3) Authorize or knowingly permit a motorcycle or motortricycle owned by such person
12 or under such person's control to be driven upon any highway by any person whose license does
13 not indicate that the person has passed the examination for the operation of a motorcycle or
14 motortricycle or has been issued an instruction permit therefor;

15 (4) Operate a motor vehicle with an instruction permit or license issued to another
16 person.

17 2. Every person **under eighteen years of age who is** operating or riding as a passenger
18 on any motorcycle or motortricycle, as defined in section 301.010, upon any highway of this state
19 shall wear protective headgear at all times the vehicle is in motion; **except that, any person**
20 **eighteen years of age or older operating any motorcycle or motortricycle who has been**
21 **issued an instruction permit shall wear protective headgear at all times the vehicle is in**
22 **motion.** The protective headgear shall meet reasonable standards and specifications established
23 by the director.

24 3. Notwithstanding the provisions of section 302.340 any person convicted of violating
25 subdivision (1) or (2) of subsection 1 of this section is guilty of a misdemeanor. A first violation
26 of subdivision (1) or (2) of subsection 1 of this section shall be punishable as a class D

27 misdemeanor. A second violation of subdivision (1) or (2) of subsection 1 of this section shall
28 be punishable as a class A misdemeanor. Any person convicted a third or subsequent time of
29 violating subdivision (1) or (2) of subsection 1 of this section is guilty of a class E felony.
30 Notwithstanding the provisions of section 302.340, violation of subdivisions (3) and (4) of
31 subsection 1 of this section is a misdemeanor, the first violation punishable as a class D
32 misdemeanor, a second or subsequent violation of this section punishable as a class C
33 misdemeanor, and the penalty for failure to wear protective headgear as required by subsection
34 2 of this section is an infraction for which a fine not to exceed twenty-five dollars may be
35 imposed. Notwithstanding all other provisions of law and court rules to the contrary, no court
36 costs shall be imposed upon any person due to such violation. No points shall be assessed
37 pursuant to section 302.302 for a failure to wear such protective headgear. Prior pleas of guilty
38 and prior findings of guilty shall be pleaded and proven in the same manner as required by
39 section 558.021.

**302.026. 1. Any qualified motorcycle operator who is eighteen years of age or older
2 may operate a motorcycle or motortricycle upon any highway of this state without wearing
3 protective headgear if he or she in addition to maintaining proof of financial responsibility
4 in accordance with chapter 303, is covered by a health benefit plan which will provide the
5 person with medical benefits for injuries incurred as a result of an accident while operating
6 or riding on a motorcycle or motortricycle. As used in this section, the term "health benefit
7 plan" shall have the same meaning assigned to it in section 376.1350.**

8 **2. Proof of coverage required by subsection 1 of this section shall be provided, upon
9 request by authorized law enforcement, by showing a copy of the qualified operator's
10 insurance card.**

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