

FIRST REGULAR SESSION

# SENATE BILL NO. 371

100TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR EIGEL.

Read 1st time February 12, 2019, and ordered printed.

ADRIANE D. CROUSE, Secretary.

1961S.011

## AN ACT

To repeal sections 301.010 and 301.067, RSMo, and to enact in lieu thereof two new sections relating to trailer license plate renewals.

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

Section A. Sections 301.010 and 301.067, RSMo, are repealed and two new sections enacted in lieu thereof, to be known as sections 301.010 and 301.067, to read as follows:

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

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

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

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

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

(5) "Backhaul", the return trip of a vehicle transporting cargo or general

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

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

- 55 manufacturer or to any consignee designated by the shipper or consignor;
- 56 (14) "Dromedary", a box, deck, or plate mounted behind the cab and  
57 forward of the fifth wheel on the frame of the power unit of a truck  
58 tractor-semitrailer combination. A truck tractor equipped with a dromedary may  
59 carry part of a load when operating independently or in a combination with a  
60 semitrailer;
- 61 (15) "Farm tractor", a tractor used exclusively for agricultural purposes;
- 62 (16) "Fleet", any group of ten or more motor vehicles owned by the same  
63 owner;
- 64 (17) "Fleet vehicle", a motor vehicle which is included as part of a fleet;
- 65 (18) "Fullmount", a vehicle mounted completely on the frame of either the  
66 first or last vehicle in a saddlemount combination;
- 67 (19) "Gross weight", the weight of vehicle and/or vehicle combination  
68 without load, plus the weight of any load thereon;
- 69 (20) "Hail-damaged vehicle", any vehicle, the body of which has become  
70 dented as the result of the impact of hail;
- 71 (21) "Highway", any public thoroughfare for vehicles, including state  
72 roads, county roads and public streets, avenues, boulevards, parkways or alleys  
73 in any municipality;
- 74 (22) "Improved highway", a highway which has been paved with gravel,  
75 macadam, concrete, brick or asphalt, or surfaced in such a manner that it shall  
76 have a hard, smooth surface;
- 77 (23) "Intersecting highway", any highway which joins another, whether  
78 or not it crosses the same;
- 79 (24) "Junk vehicle", a vehicle which:
- 80 (a) Is incapable of operation or use upon the highways and has no resale  
81 value except as a source of parts or scrap; or
- 82 (b) Has been designated as junk or a substantially equivalent designation  
83 by this state or any other state;
- 84 (25) "Kit vehicle", a motor vehicle assembled by a person other than a  
85 generally recognized manufacturer of motor vehicles by the use of a glider kit or  
86 replica purchased from an authorized manufacturer and accompanied by a  
87 manufacturer's statement of origin;
- 88 (26) "Land improvement contractors' commercial motor vehicle", any  
89 not-for-hire commercial motor vehicle the operation of which is confined to:
- 90 (a) An area that extends not more than a radius of one hundred miles

91 from its home base of operations when transporting its owner's machinery,  
92 equipment, or auxiliary supplies to or from projects involving soil and water  
93 conservation, or to and from equipment dealers' maintenance facilities for  
94 maintenance purposes; or

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

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

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

126 (29) "Local log truck tractor", a commercial motor vehicle which is

127 registered under this chapter to operate as a motor vehicle on the public  
128 highways of this state, used exclusively in this state, used to transport harvested  
129 forest products, operated at a forested site and in an area extending not more  
130 than a one hundred mile radius from such site, operates with a weight not  
131 exceeding twenty-two thousand four hundred pounds on one axle or with a weight  
132 not exceeding forty-four thousand eight hundred pounds on any tandem axle, and  
133 when operated on the national system of interstate and defense highways  
134 described in 23 U.S.C. Section 103, as amended, or outside the one hundred mile  
135 radius from such site with an extended distance local log truck permit, such  
136 vehicle does not exceed the weight limits contained in section 304.180, and does  
137 not have more than three axles and does not pull a trailer which has more than  
138 three axles. Violations of axle weight limitations shall be subject to the load limit  
139 penalty as described for in sections 304.180 to 304.220;

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

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

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

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

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

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

161 (36) "Motor vehicle primarily for business use", any vehicle other than a  
162 recreational motor vehicle, motorcycle, motortricycle, or any commercial motor

163 vehicle licensed for over twelve thousand pounds:

164 (a) Offered for hire or lease; or

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

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

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

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

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

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

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

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

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

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

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

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

199 new multistage manufactured vehicles;

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

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

212 (50) **"Recreational trailer", any trailer designed, constructed, or**  
213 **substantially modified so that it may be used and is used for the**  
214 **purpose of temporary housing quarters, including therein sleeping or**  
215 **eating facilities, which can be temporarily attached to a motor vehicle**  
216 **or attached to a unit which is securely attached to a motor vehicle;**

217 (51) "Rollback or car carrier", any vehicle specifically designed to  
218 transport wrecked, disabled or otherwise inoperable vehicles, when the  
219 transportation is directly connected to a wrecker or towing service;

220 [(51)] (52) "Saddlemount combination", a combination of vehicles in  
221 which a truck or truck tractor tows one or more trucks or truck tractors, each  
222 connected by a saddle to the frame or fifth wheel of the vehicle in front of it. The  
223 "saddle" is a mechanism that connects the front axle of the towed vehicle to the  
224 frame or fifth wheel of the vehicle in front and functions like a fifth wheel kingpin  
225 connection. When two vehicles are towed in this manner the combination is  
226 called a "double saddlemount combination". When three vehicles are towed in  
227 this manner, the combination is called a "triple saddlemount combination";

228 [(52)] (53) "Salvage dealer and dismantler", a business that dismantles  
229 used motor vehicles for the sale of the parts thereof, and buys and sells used  
230 motor vehicle parts and accessories;

231 [(53)] (54) "Salvage vehicle", a motor vehicle, semitrailer, or house trailer  
232 which:

233 (a) Was damaged during a year that is no more than six years after the  
234 manufacturer's model year designation for such vehicle to the extent that the

235 total cost of repairs to rebuild or reconstruct the vehicle to its condition  
236 immediately before it was damaged for legal operation on the roads or highways  
237 exceeds eighty percent of the fair market value of the vehicle immediately  
238 preceding the time it was damaged;

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

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

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

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

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

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

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

261 [(54)] **(55)** "School bus", any motor vehicle used solely to transport  
262 students to or from school or to transport students to or from any place for  
263 educational purposes;

264 [(55)] **(56)** "Scrap processor", a business that, through the use of fixed or  
265 mobile equipment, flattens, crushes, or otherwise accepts motor vehicles and  
266 vehicle parts for processing or transportation to a shredder or scrap metal  
267 operator for recycling;

268 [(56)] **(57)** "Shuttle bus", a motor vehicle used or maintained by any  
269 person, firm, or corporation as an incidental service to transport patrons or  
270 customers of the regular business of such person, firm, or corporation to and from

271 the place of business of the person, firm, or corporation providing the service at  
272 no fee or charge. Shuttle buses shall not be registered as buses or as commercial  
273 motor vehicles;

274 [(57)] **(58)** "Special mobile equipment", every self-propelled vehicle not  
275 designed or used primarily for the transportation of persons or property and  
276 incidentally operated or moved over the highways, including farm equipment,  
277 implements of husbandry, road construction or maintenance machinery,  
278 ditch-digging apparatus, stone crushers, air compressors, power shovels, cranes,  
279 graders, rollers, well-drillers and wood-sawing equipment used for hire, asphalt  
280 spreaders, bituminous mixers, bucket loaders, ditchers, leveling graders, finished  
281 machines, motor graders, road rollers, scarifiers, earth-moving carryalls, scrapers,  
282 drag lines, concrete pump trucks, rock-drilling and earth-moving equipment. This  
283 enumeration shall be deemed partial and shall not operate to exclude other such  
284 vehicles which are within the general terms of this section;

285 [(58)] **(59)** "Specially constructed motor vehicle", a motor vehicle which  
286 shall not have been originally constructed under a distinctive name, make, model  
287 or type by a manufacturer of motor vehicles. The term specially constructed  
288 motor vehicle includes kit vehicles;

289 [(59)] **(60)** "Stinger-steered combination", a truck tractor-semitrailer  
290 wherein the fifth wheel is located on a drop frame located behind and below the  
291 rearmost axle of the power unit;

292 [(60)] **(61)** "Tandem axle", a group of two or more axles, arranged one  
293 behind another, the distance between the extremes of which is more than forty  
294 inches and not more than ninety-six inches apart;

295 [(61)] **(62)** "Towaway trailer transporter combination", a combination of  
296 vehicles consisting of a trailer transporter towing unit and two trailers or  
297 semitrailers, with a total weight that does not exceed twenty-six thousand  
298 pounds; and in which the trailers or semitrailers carry no property and constitute  
299 inventory property of a manufacturer, distributor, or dealer of such trailers or  
300 semitrailers;

301 [(62)] **(63)** "Tractor", "truck tractor" or "truck-tractor", a self-propelled  
302 motor vehicle designed for drawing other vehicles, but not for the carriage of any  
303 load when operating independently. When attached to a semitrailer, it supports  
304 a part of the weight thereof;

305 [(63)] **(64)** "Trailer", any vehicle without motive power designed for  
306 carrying property or passengers on its own structure and for being drawn by a

307 self-propelled vehicle, except those running exclusively on tracks, including a  
308 semitrailer or vehicle of the trailer type so designed and used in conjunction with  
309 a self-propelled vehicle that a considerable part of its own weight rests upon and  
310 is carried by the towing vehicle. The term trailer shall not include cotton trailers  
311 as defined in this section and shall not include manufactured homes as defined  
312 in section 700.010;

313 [(64)] **(65)** "Trailer transporter towing unit", a power unit that is not  
314 used to carry property when operating in a towaway trailer transporter  
315 combination;

316 [(65)] **(66)** "Truck", a motor vehicle designed, used, or maintained for the  
317 transportation of property;

318 [(66)] **(67)** "Truck-tractor semitrailer-semitrailer", a combination vehicle  
319 in which the two trailing units are connected with a B-train assembly which is  
320 a rigid frame extension attached to the rear frame of a first semitrailer which  
321 allows for a fifth-wheel connection point for the second semitrailer and has one  
322 less articulation point than the conventional A-dolly connected truck-tractor  
323 semitrailer-trailer combination;

324 [(67)] **(68)** "Truck-trailer boat transporter combination", a boat  
325 transporter combination consisting of a straight truck towing a trailer using  
326 typically a ball and socket connection with the trailer axle located substantially  
327 at the trailer center of gravity rather than the rear of the trailer but so as to  
328 maintain a downward force on the trailer tongue;

329 [(68)] **(69)** "Used parts dealer", a business that buys and sells used motor  
330 vehicle parts or accessories, but not including a business that sells only new,  
331 remanufactured or rebuilt parts. Business does not include isolated sales at a  
332 swap meet of less than three days;

333 [(69)] **(70)** "Utility vehicle", any motorized vehicle manufactured and  
334 used exclusively for off-highway use which is more than fifty inches but no more  
335 than sixty-seven inches in width, with an unladen dry weight of two thousand  
336 pounds or less, traveling on four or six wheels, to be used primarily for  
337 landscaping, lawn care, or maintenance purposes;

338 [(70)] **(71)** "Vanpool", any van or other motor vehicle used or maintained  
339 by any person, group, firm, corporation, association, city, county or state agency,  
340 or any member thereof, for the transportation of not less than eight nor more  
341 than forty-eight employees, per motor vehicle, to and from their place of  
342 employment; however, a vanpool shall not be included in the definition of the

343 term bus or commercial motor vehicle as defined in this section, nor shall a  
344 vanpool driver be deemed a chauffeur as that term is defined by section 303.020;  
345 nor shall use of a vanpool vehicle for ride-sharing arrangements, recreational,  
346 personal, or maintenance uses constitute an unlicensed use of the motor vehicle,  
347 unless used for monetary profit other than for use in a ride-sharing arrangement;

348 ~~[(71)]~~ **(72)** "Vehicle", any mechanical device on wheels, designed  
349 primarily for use, or used, on highways, except motorized bicycles, vehicles  
350 propelled or drawn by horses or human power, or vehicles used exclusively on  
351 fixed rails or tracks, or cotton trailers or motorized wheelchairs operated by  
352 handicapped persons;

353 ~~[(72)]~~ **(73)** "Wrecker" or "tow truck", any emergency commercial vehicle  
354 equipped, designed and used to assist or render aid and transport or tow disabled  
355 or wrecked vehicles from a highway, road, street or highway rights-of-way to a  
356 point of storage or repair, including towing a replacement vehicle to replace a  
357 disabled or wrecked vehicle;

358 ~~[(73)]~~ **(74)** "Wrecker or towing service", the act of transporting, towing  
359 or recovering with a wrecker, tow truck, rollback or car carrier any vehicle not  
360 owned by the operator of the wrecker, tow truck, rollback or car carrier for which  
361 the operator directly or indirectly receives compensation or other personal gain.

301.067. 1. For each trailer or semitrailer there shall be paid an annual  
2 fee of seven dollars fifty cents, and in addition thereto such permit fee authorized  
3 by law against trailers used in combination with tractors operated under the  
4 supervision of the highways and transportation commission of the department of  
5 transportation. The fees for tractors used in any combination with trailers or  
6 semitrailers or both trailers and semitrailers (other than on passenger-carrying  
7 trailers or semitrailers) shall be computed on the total gross weight of the  
8 vehicles in the combination with load.

9 2. Any trailer or semitrailer may at the option of the registrant be  
10 registered for a period of three years upon payment of a registration fee of  
11 twenty-two dollars and fifty cents.

12 3. Any trailer as defined in section 301.010 or semitrailer may, at the  
13 option of the registrant, be registered permanently upon the payment of a  
14 registration fee of fifty-two dollars and fifty cents. The permanent plate and  
15 registration fee is vehicle specific. The plate and the registration fee paid is  
16 nontransferable and nonrefundable, except those covered under the provisions of  
17 section 301.442.

18           4. Beginning August 28, 2019, the annual registration fees  
19 imposed under this section or section 301.030 for recreational trailers,  
20 as defined under section 301.010, shall be payable in the month of May  
21 each year. Any fee that would have been due in December 2019, shall  
22 be deferred until May 2020.

✓

Unofficial

Bill

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