

FIRST REGULAR SESSION

[P E R F E C T E D]

SENATE BILL NO. 371

100TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR EIGEL.

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

Read 2nd time February 28, 2019, and referred to the Committee on Transportation, Infrastructure and Public Safety.

Reported from the Committee March 14, 2019, with recommendation that the bill do pass and be placed on the Consent Calendar.

Taken up March 28, 2019. Read 3rd time and placed upon its final passage; bill passed.

ADRIANE D. CROUSE, Secretary.

1961S.01P

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Section A. Sections 301.010 and 301.067, RSMo, are repealed and two new sections enacted in lieu thereof, to be known as sections 301.010 and 301.067, to read as follows: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

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

16 centers are included between two parallel transverse vertical planes forty inches
17 apart, extending across the full width of the vehicle;

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