

SECOND REGULAR SESSION

SENATE BILL NO. 785

101ST GENERAL ASSEMBLY

INTRODUCED BY SENATOR ESLINGER.

3832S.01I

ADRIANE D. CROUSE, Secretary

AN ACT

To repeal sections 301.010, 301.062, 304.180, and 304.240, RSMo, and to enact in lieu thereof four new sections relating to limitations on certain commercial motor vehicles, with existing penalty provisions.

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

Section A. Sections 301.010, 301.062, 304.180, and
2 304.240, RSMo, are repealed and four new sections enacted in
3 lieu thereof, to be known as sections 301.010, 301.062, 304.180,
4 and 304.240, to read as follows:

301.010. As used in this chapter and sections 304.010
2 to 304.040, 304.120 to 304.260, and sections 307.010 to
3 307.175, the following terms mean:

4 (1) "All-terrain vehicle", any motorized vehicle
5 manufactured and used exclusively for off-highway use, with
6 an unladen dry weight of one thousand five hundred pounds or
7 less, traveling on three, four or more nonhighway tires,
8 with either:

9 (a) A seat designed to be straddled by the operator,
10 and handlebars for steering control, but excluding an
11 electric bicycle; or

12 (b) A width of fifty inches or less, measured from
13 outside of tire rim to outside of tire rim, regardless of
14 seating or steering arrangement;

15 (2) "Autocycle", a three-wheeled motor vehicle which
16 the drivers and passengers ride in a partially or completely

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

17 enclosed nonstraddle seating area, that is designed to be
18 controlled with a steering wheel and pedals, and that has
19 met applicable Department of Transportation National Highway
20 Traffic Safety Administration requirements or federal
21 motorcycle safety standards;

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

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

30 (5) "Backhaul", the return trip of a vehicle
31 transporting cargo or general freight, especially when
32 carrying goods back over all or part of the same route;

33 (6) "Boat transporter", any vehicle combination
34 capable of carrying cargo on the power unit and designed and
35 used specifically to transport assembled boats and boat
36 hulls. Boats may be partially disassembled to facilitate
37 transporting;

38 (7) "Body shop", a business that repairs physical
39 damage on motor vehicles that are not owned by the shop or
40 its officers or employees by mending, straightening,
41 replacing body parts, or painting;

42 (8) "Bus", a motor vehicle primarily for the
43 transportation of a driver and eight or more passengers but
44 not including shuttle buses;

45 (9) "Commercial motor vehicle", a motor vehicle
46 designed or regularly used for carrying freight and
47 merchandise, or more than eight passengers but not including
48 vanpools or shuttle buses;

49 (10) "Cotton trailer", a trailer designed and used
50 exclusively for transporting cotton at speeds less than
51 forty miles per hour from field to field or from field to
52 market and return;

53 (11) "Dealer", any person, firm, corporation,
54 association, agent or subagent engaged in the sale or
55 exchange of new, used or reconstructed motor vehicles or
56 trailers;

57 (12) "Director" or "director of revenue", the director
58 of the department of revenue;

59 (13) "Driveaway operation":

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

66 (b) The movement of any vehicle or vehicles, not owned
67 by the transporter, constituting the commodity being
68 transported, by a person engaged in the business of
69 furnishing drivers and operators for the purpose of
70 transporting vehicles in transit from one place to another
71 by the driveaway or towaway methods; or

72 (c) The movement of a motor vehicle by any person who
73 is lawfully engaged in the business of transporting or
74 delivering vehicles that are not the person's own and
75 vehicles of a type otherwise required to be registered, by
76 the driveaway or towaway methods, from a point of
77 manufacture, assembly or distribution or from the owner of
78 the vehicles to a dealer or sales agent of a manufacturer or
79 to any consignee designated by the shipper or consignor;

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

(15) "Electric bicycle", a bicycle equipped with fully operable pedals, a saddle or seat for the rider, and an electric motor of less than 750 watts that meets the requirements of one of the following three classes:

(a) "Class 1 electric bicycle", an electric bicycle equipped with a motor that provides assistance only when the rider is pedaling and that ceases to provide assistance when the bicycle reaches the speed of twenty miles per hour;

(b) "Class 2 electric bicycle", an electric bicycle equipped with a motor that may be used exclusively to propel the bicycle and that is not capable of providing assistance when the bicycle reaches the speed of twenty miles per hour; or

(c) "Class 3 electric bicycle", an electric bicycle equipped with a motor that provides assistance only when the rider is pedaling and that ceases to provide assistance when the bicycle reaches the speed of twenty-eight miles per hour;

(16) "Farm tractor", a tractor used exclusively for agricultural purposes;

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

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

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

112 (20) "Gross weight", the weight of vehicle and/or
113 vehicle combination without load, plus the weight of any
114 load thereon;

115 (21) "Hail-damaged vehicle", any vehicle, the body of
116 which has become dented as the result of the impact of hail;

117 (22) "Highway", any public thoroughfare for vehicles,
118 including state roads, county roads and public streets,
119 avenues, boulevards, parkways or alleys in any municipality;

120 (23) "Improved highway", a highway which has been
121 paved with gravel, macadam, concrete, brick or asphalt, or
122 surfaced in such a manner that it shall have a hard, smooth
123 surface;

124 (24) "Intersecting highway", any highway which joins
125 another, whether or not it crosses the same;

126 (25) "Junk vehicle", a vehicle which:

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

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

132 (26) "Kit vehicle", a motor vehicle assembled by a
133 person other than a generally recognized manufacturer of
134 motor vehicles by the use of a glider kit or replica
135 purchased from an authorized manufacturer and accompanied by
136 a manufacturer's statement of origin;

137 (27) "Land improvement contractors' commercial motor
138 vehicle", any not-for-hire commercial motor vehicle the
139 operation of which is confined to:

140 (a) An area that extends not more than a radius of one
141 hundred **fifty** miles from its home base of operations when
142 transporting its owner's machinery, equipment, or auxiliary
143 supplies to or from projects involving soil and water

144 conservation, or to and from equipment dealers' maintenance
145 facilities for maintenance purposes; or

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

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

154 (28) "Local commercial motor vehicle", a commercial
155 motor vehicle whose operations are confined to a
156 municipality and that area extending not more than fifty
157 miles therefrom, or a commercial motor vehicle whose
158 property-carrying operations are confined solely to the
159 transportation of property owned by any person who is the
160 owner or operator of such vehicle to or from a farm owned by
161 such person or under the person's control by virtue of a
162 landlord and tenant lease; provided that any such property
163 transported to any such farm is for use in the operation of
164 such farm;

165 (29) "Local log truck", a commercial motor vehicle
166 which is registered pursuant to this chapter to operate as a
167 motor vehicle on the public highways of this state[,]; used
168 exclusively in this state[,]; used to transport harvested
169 forest products[,]; operated solely at a forested site and
170 in an area extending not more than a one hundred mile radius
171 from such site, carries a load with dimensions not in excess
172 of twenty-five cubic yards per two axles with dual wheels,
173 and when operated on the national system of interstate and
174 defense highways described in 23 U.S.C. Section 103, as

175 amended, or outside the one hundred **fifty** mile radius from
176 such site with an extended distance local log truck permit,
177 [such vehicle shall not exceed the weight limits of section
178 304.180,] does not have more than four axles, and does not
179 pull a trailer which has more than three axles. Harvesting
180 equipment which is used specifically for cutting, felling,
181 trimming, delimbing, debarking, chipping, skidding, loading,
182 unloading, and stacking may be transported on a local log
183 truck[. A local log truck may not exceed the limits
184 required by law, however, if the truck does exceed such
185 limits as determined by the inspecting officer, then
186 notwithstanding any other provisions of law to the contrary,
187 such truck shall be subject to the weight limits required by
188 such sections as licensed for eighty thousand pounds];

189 (30) "Local log truck tractor", a commercial motor
190 vehicle which is registered under this chapter to operate as
191 a motor vehicle on the public highways of this state[,];
192 used exclusively in this state[,]; used to transport
193 harvested forest products, operated at a forested site and
194 in an area extending not more than a one hundred **fifty** mile
195 radius from such site[, operates with a weight not exceeding
196 twenty-two thousand four hundred pounds on one axle or with
197 a weight not exceeding forty-four thousand eight hundred
198 pounds on any tandem axle,]; and when operated on the
199 national system of interstate and defense highways described
200 in 23 U.S.C. Section 103, as amended, or outside the one
201 hundred **fifty** mile radius from such site with an extended
202 distance local log truck permit, [such vehicle does not
203 exceed the weight limits contained in section 304.180, and]
204 does not have more than three axles and does not pull a
205 trailer which has more than three axles[. Violations of

axle weight limitations shall be subject to the load limit penalty as described for in sections 304.180 to 304.220];

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

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

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

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

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

(36) "Motor vehicle", any self-propelled vehicle not operated exclusively upon tracks, except farm tractors and electric bicycles;

(37) "Motor vehicle primarily for business use", any vehicle other than a recreational motor vehicle, motorcycle,

237 motortricycle, or any commercial motor vehicle licensed for
238 over twelve thousand pounds:

239 (a) Offered for hire or lease; or

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

242 (38) "Motorcycle", a motor vehicle operated on two
243 wheels;

244 (39) "Motorized bicycle", any two-wheeled or three-
245 wheeled device having an automatic transmission and a motor
246 with a cylinder capacity of not more than fifty cubic
247 centimeters, which produces less than three gross brake
248 horsepower, and is capable of propelling the device at a
249 maximum speed of not more than thirty miles per hour on
250 level ground, but excluding an electric bicycle;

251 (40) "Motortricycle", a motor vehicle upon which the
252 operator straddles or sits astride that is designed to be
253 controlled by handle bars and is operated on three wheels,
254 including a motorcycle while operated with any conveyance,
255 temporary or otherwise, requiring the use of a third wheel,
256 but excluding an electric bicycle. A motortricycle shall
257 not be included in the definition of all-terrain vehicle;

258 (41) "Municipality", any city, town or village,
259 whether incorporated or not;

260 (42) "Nonresident", a resident of a state or country
261 other than the state of Missouri;

262 (43) "Non-USA-std motor vehicle", a motor vehicle not
263 originally manufactured in compliance with United States
264 emissions or safety standards;

265 (44) "Operator", any person who operates or drives a
266 motor vehicle;

267 (45) "Owner", any person, firm, corporation or
268 association, who holds the legal title to a vehicle or who

has executed a buyer's order or retail installment sales contract with a motor vehicle dealer licensed under sections 301.550 to 301.580 for the purchase of a vehicle with an immediate right of possession vested in the transferee, or in the event a vehicle is the subject of an agreement for the conditional sale or lease thereof with the right of purchase upon performance of the conditions stated in the agreement and with an immediate right of possession vested in the conditional vendee or lessee, or in the event a mortgagor of a vehicle is entitled to possession, then such conditional vendee or lessee or mortgagor shall be deemed the owner;

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

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

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

(49) "Recreational motor vehicle", any motor vehicle designed, constructed or substantially modified so that it may be used and is used for the purposes of temporary housing quarters, including therein sleeping and eating facilities which are either permanently attached to the motor vehicle or attached to a unit which is securely attached to the motor vehicle. Nothing herein shall prevent

301 any motor vehicle from being registered as a commercial
302 motor vehicle if the motor vehicle could otherwise be so
303 registered;

304 (50) "Recreational off-highway vehicle", any motorized
305 vehicle manufactured and used exclusively for off-highway
306 use which is more than fifty inches but no more than eighty
307 inches in width, measured from outside of tire rim to
308 outside of tire rim, with an unladen dry weight of three
309 thousand five hundred pounds or less, traveling on four or
310 more nonhighway tires and which may have access to ATV
311 trails;

312 (51) "Recreational trailer", any trailer designed,
313 constructed, or substantially modified so that it may be
314 used and is used for the purpose of temporary housing
315 quarters, including therein sleeping or eating facilities,
316 which can be temporarily attached to a motor vehicle or
317 attached to a unit which is securely attached to a motor
318 vehicle;

319 (52) "Rollback or car carrier", any vehicle
320 specifically designed to transport wrecked, disabled or
321 otherwise inoperable vehicles, when the transportation is
322 directly connected to a wrecker or towing service;

323 (53) "Saddlemount combination", a combination of
324 vehicles in which a truck or truck tractor tows one or more
325 trucks or truck tractors, each connected by a saddle to the
326 frame or fifth wheel of the vehicle in front of it. The
327 "saddle" is a mechanism that connects the front axle of the
328 towed vehicle to the frame or fifth wheel of the vehicle in
329 front and functions like a fifth wheel kingpin connection.
330 When two vehicles are towed in this manner the combination
331 is called a "double saddlemount combination". When three

vehicles are towed in this manner, the combination is called a "triple saddlemount combination";

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

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

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

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

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

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

(e) Is abandoned property which is titled pursuant to section 304.155 or section 304.157 and designated with the words "salvage/abandoned property". The total cost of repairs to rebuild or reconstruct the vehicle shall not include the cost of repairing, replacing, or reinstalling inflatable safety restraints, tires, sound systems, or damage as a result of hail, or any sales tax on parts or materials to rebuild or reconstruct the vehicle. For

purposes of this definition, "fair market value" means the retail value of a motor vehicle as:

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

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

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

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

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

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

(59) "Special mobile equipment", every self-propelled vehicle not designed or used primarily for the transportation of persons or property and incidentally

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

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

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

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

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

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

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

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

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

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

(69) "Truck-trailer boat transporter combination", a boat transporter combination consisting of a straight truck towing a trailer using typically a ball and socket connection with the trailer axle located substantially at

460 the trailer center of gravity rather than the rear of the
461 trailer but so as to maintain a downward force on the
462 trailer tongue;

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

468 (71) "Utility vehicle", any motorized vehicle
469 manufactured and used exclusively for off-highway use which
470 is more than fifty inches but no more than eighty inches in
471 width, measured from outside of tire rim to outside of tire
472 rim, with an unladen dry weight of three thousand five
473 hundred pounds or less, traveling on four or six wheels, to
474 be used primarily for landscaping, lawn care, or maintenance
475 purposes;

476 (72) "Vanpool", any van or other motor vehicle used or
477 maintained by any person, group, firm, corporation,
478 association, city, county or state agency, or any member
479 thereof, for the transportation of not less than eight nor
480 more than forty-eight employees, per motor vehicle, to and
481 from their place of employment; however, a vanpool shall not
482 be included in the definition of the term bus or commercial
483 motor vehicle as defined in this section, nor shall a
484 vanpool driver be deemed a chauffeur as that term is defined
485 by section 303.020; nor shall use of a vanpool vehicle for
486 ride-sharing arrangements, recreational, personal, or
487 maintenance uses constitute an unlicensed use of the motor
488 vehicle, unless used for monetary profit other than for use
489 in a ride-sharing arrangement;

490 (73) "Vehicle", any mechanical device on wheels,
491 designed primarily for use, or used, on highways, except

492 motorized bicycles, electric bicycles, vehicles propelled or
493 drawn by horses or human power, or vehicles used exclusively
494 on fixed rails or tracks, or cotton trailers or motorized
495 wheelchairs operated by handicapped persons;

496 (74) "Wrecker" or "tow truck", any emergency
497 commercial vehicle equipped, designed and used to assist or
498 render aid and transport or tow disabled or wrecked vehicles
499 from a highway, road, street or highway rights-of-way to a
500 point of storage or repair, including towing a replacement
501 vehicle to replace a disabled or wrecked vehicle;

502 (75) "Wrecker or towing service", the act of
503 transporting, towing or recovering with a wrecker, tow
504 truck, rollback or car carrier any vehicle not owned by the
505 operator of the wrecker, tow truck, rollback or car carrier
506 for which the operator directly or indirectly receives
507 compensation or other personal gain.

301.062. 1. The annual registration fee for a local
2 log truck, registered pursuant to this chapter, is three
3 hundred dollars.

4 2. A local log truck may receive an extended distance
5 local log truck permit for an additional fee of three
6 hundred dollars. A local log truck with an extended
7 distance local log truck permit shall be allowed to
8 transport harvested or processed forest products outside of
9 the [one hundred mile] radius from the forested site
10 **specified in section 301.010** at the weight limits for
11 commercial vehicles specified in section 304.180. For the
12 purposes of this section, "processed forest products" shall
13 mean wood products that are produced from the initial
14 processing of a round log and have received no additional
15 manufacturing or packaging to prepare the material for any

16 retail market including, but not limited to, sawdust, wood
17 chips, bark, slabs, and green square edged lumber products.

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

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

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

28 Distance in feet between the 29 extremes of any group of two or

more consecutive axles, measured
to the nearest foot, except where
indicated otherwise

		Maximum load in pounds				
	feet	2 axles	3 axles	4 axles	5 axles	6 axles
	4	34,000				
	5	34,000				
	6	34,000				
	7	34,000				
	8	34,000	34,000			
	More than 8	38,000	42,000			
	9	39,000	42,500			
	10	40,000	43,500			
	11	40,000	44,000			
	12	40,000	45,000	50,000		
	13	40,000	45,500	50,500		
	14	40,000	46,500	51,500		
	15	40,000	47,000	52,000		
	16	40,000	48,000	52,500	58,000	
	17	40,000	48,500	53,500	58,500	
	18	40,000	49,500	54,000	59,000	
	19	40,000	50,000	54,500	60,000	
	20	40,000	51,000	55,500	60,500	66,000

54	21	40,000	51,500	56,000	61,000	66,500
55	22	40,000	52,500	56,500	61,500	67,000
56	23	40,000	53,000	57,500	62,500	68,000
57	24	40,000	54,000	58,000	63,000	68,500
58	25	40,000	54,500	58,500	63,500	69,000
59	26	40,000	55,500	59,500	64,000	69,500
60	27	40,000	56,000	60,000	65,000	70,000
61	28	40,000	57,000	60,500	65,500	71,000
62	29	40,000	57,500	61,500	66,000	71,500
63	30	40,000	58,500	62,000	66,500	72,000
64	31	40,000	59,000	62,500	67,500	72,500
65	32	40,000	60,000	63,500	68,000	73,000
66	33	40,000	60,000	64,000	68,500	74,000
67	34	40,000	60,000	64,500	69,000	74,500
68	35	40,000	60,000	65,500	70,000	75,000
69	36		60,000	66,000	70,500	75,500
70	37		60,000	66,500	71,000	76,000
71	38		60,000	67,500	72,000	77,000
72	39		60,000	68,000	72,500	77,500
73	40		60,000	68,500	73,000	78,000
74	41		60,000	69,500	73,500	78,500
75	42		60,000	70,000	74,000	79,000
76	43		60,000	70,500	75,000	80,000

77	44		60,000	71,500	75,500	80,000
78	45		60,000	72,000	76,000	80,000
79	46		60,000	72,500	76,500	80,000
80	47		60,000	73,500	77,500	80,000
81	48		60,000	74,000	78,000	80,000
82	49		60,000	74,500	78,500	80,000
83	50		60,000	75,500	79,000	80,000
84	51		60,000	76,000	80,000	80,000
85	52		60,000	76,500	80,000	80,000
86	53		60,000	77,500	80,000	80,000
87	54		60,000	78,000	80,000	80,000
88	55		60,000	78,500	80,000	80,000
89	56		60,000	79,500	80,000	80,000
90	57		60,000	80,000	80,000	80,000

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

96 4. Whenever the state highways and transportation
 97 commission finds that any state highway bridge in the state
 98 is in such a condition that use of such bridge by vehicles
 99 of the weights specified in subsection 3 of this section
 100 will endanger the bridge, or the users of the bridge, the
 101 commission may establish maximum weight limits and speed

limits for vehicles using such bridge. The governing body of any city or county may grant authority by act or ordinance to the commission to enact the limitations established in this section on those roadways within the purview of such city or county. Notice of the weight limits and speed limits established by the commission shall be given by posting signs at a conspicuous place at each end of any such bridge.

5. Nothing in this section shall be construed as permitting lawful axle loads, tandem axle loads or gross loads in excess of those permitted under the provisions of P.L. 97-424 codified in Title 23 of the United States Code (23 U.S.C. Section 101, et al.), as amended.

6. Notwithstanding the weight limitations contained in this section, any vehicle or combination of vehicles operating on highways other than the interstate highway system may exceed single axle, tandem axle and gross weight limitations in an amount not to exceed two thousand pounds. However, total gross weight shall not exceed eighty thousand pounds, except as provided in subsections 9, 10, 12, [and] 13, and 14 of this section.

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

134 8. Notwithstanding the provision of this section to
135 the contrary, the maximum gross vehicle limit and axle
136 weight limit for any vehicle or combination of vehicles
137 equipped with an idle reduction technology may be increased
138 by a quantity necessary to compensate for the additional
139 weight of the idle reduction system as provided for in 23
140 U.S.C. Section 127, as amended. In no case shall the
141 additional weight increase allowed by this subsection be
142 greater than five hundred fifty pounds. Upon request by an
143 appropriate law enforcement officer, the vehicle operator
144 shall provide proof that the idle reduction technology is
145 fully functional at all times and that the gross weight
146 increase is not used for any purpose other than for the use
147 of idle reduction technology.

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

157 10. Notwithstanding any provision of this section or
158 any other law to the contrary, any vehicle or combination of
159 vehicles hauling grain or grain coproducts during times of
160 harvest may be as much as, but not exceeding, ten percent
161 over the maximum weight limitation allowable under
162 subsection 3 of this section while operating on highways
163 other than the interstate highway system. The provisions of
164 this subsection shall not apply to vehicles operated and

operating on the Dwight D. Eisenhower System of Interstate and Defense Highways.

11. Notwithstanding any provision of this section or any other law to the contrary, the commission shall issue emergency utility response permits for the transporting of utility wires or cables, poles, and equipment needed for repair work immediately following a disaster where utility service has been disrupted. Under exigent circumstances, verbal approval of such operation may be made either by the department of transportation motor carrier compliance supervisor or other designated motor carrier services representative. Utility vehicles and equipment used to assist utility companies granted special permits under this subsection may be operated and transported on state-maintained roads and highways at any time on any day. The commission shall promulgate all necessary rules and regulations for the administration of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2014, shall be invalid and void.

12. Notwithstanding any provision of this section to the contrary, emergency vehicles designed to be used under emergency conditions to transport personnel and equipment and to support the suppression of fires and mitigate

hazardous situations may have a maximum gross vehicle weight of eighty-six thousand pounds inclusive of twenty-four thousand pounds on a single steering axle; thirty-three thousand five hundred pounds on a single drive axle; sixty-two thousand pounds on a tandem axle; or fifty-two thousand pounds on a tandem rear-drive steer axle; except that, such emergency vehicles shall only operate on the Dwight D. Eisenhower National System of Interstate and Defense Highways.

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

14. Notwithstanding any provision of law to the contrary, local log trucks and local log truck tractors, as defined in section 301.010, may be operated with a weight not exceeding twenty-two thousand four hundred pounds on one axle or a weight not exceeding forty-four thousand eight hundred pounds on any tandem axle, except the front steering axle shall not exceed fifteen thousand pounds or the gross vehicle weight rating set by the manufacturer, and may have a total weight of up to one hundred five thousand pounds. Provided however, when operating on the national system of interstate and defense highways described in 23 U.S.C. Section 103, as amended, or outside the radius from the

229 **forested site specified in section 301.010 with an extended**
230 **distance local log truck permit, the vehicle shall not**
231 **exceed the weight limits otherwise specified in this section.**

304.240. 1. Any person, firm, corporation,
2 partnership or association violating any of the provisions
3 of sections 304.170 to 304.230 shall be deemed guilty of a
4 misdemeanor and upon conviction thereof shall be punished by
5 a fine of not less than five dollars or by confinement in a
6 county jail for not more than twelve months, or by both the
7 fine and confinement; provided, however, that where load
8 limits as defined in sections 304.180 to 304.220 have been
9 violated, the fine shall be two cents for each pound of
10 excess weight up to and including five hundred, and five
11 cents for each pound of excess weight above five hundred and
12 not exceeding one thousand, and ten cents for each pound in
13 excess weight above one thousand; provided that, when any
14 vehicle is being operated under a special permit as provided
15 in section 304.200, the term "excess weight" means only
16 weight in excess of the amount permitted in the permit as
17 issued. The court may, in its discretion, cause to be
18 impounded the motor vehicle operated by any person violating
19 the provisions of this section until such time as the fine
20 and cost assessed by the court under this section is paid.

21 **2. Notwithstanding subsection 1 of this section, the**
22 **fine for a load-limit violation under sections 304.180 to**
23 **304.220 involving a local log truck or a local log truck**
24 **tractor, as such terms are defined in section 301.010, shall**
25 **be as follows:**

26 (1) If the weight exceeds the limit by one pound to
27 four thousand nine hundred ninety-nine pounds, the fine
28 shall be ten cents for each pound of excess weight;

29 (2) If the weight exceeds the limit by five thousand
30 pounds to nine thousand nine hundred ninety-nine pounds, the
31 fine shall be twenty cents for each pound of excess weight;
32 and

33 (3) If the weight exceeds the limit by ten thousand
34 pounds or more, the fine shall be fifty cents for each pound
35 of excess weight.

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