

FIRST REGULAR SESSION  
[TRULY AGREED TO AND FINALLY PASSED]  
CONFERENCE COMMITTEE SUBSTITUTE FOR

# SENATE BILL NO. 8

99TH GENERAL ASSEMBLY

2017

0101S.03T

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## AN ACT

To repeal sections 142.800, 142.803, 142.869, 287.020, 287.040, 288.035, 301.010, 301.031, 301.062, 301.227, 301.550, 304.005, 304.022, 304.120, 304.170, 304.180, 307.175, and 407.816, RSMo, and to enact in lieu thereof nineteen new sections relating to transportation, with existing penalty provisions and an emergency clause for certain sections.

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

Section A. Sections 142.800, 142.803, 142.869, 287.020, 287.040, 288.035, 301.010, 301.031, 301.062, 301.227, 301.550, 304.005, 304.022, 304.120, 304.170, 304.180, 307.175, and 407.816, RSMo, are repealed and nineteen new sections enacted in lieu thereof, to be known as sections 142.800, 142.803, 142.869, 287.020, 287.040, 288.035, 301.010, 301.031, 301.062, 301.227, 301.550, 304.005, 304.022, 304.120, 304.170, 304.180, 307.005, 307.175, and 407.816, to read as follows:

142.800. As used in this chapter, the following words, terms and phrases have the meanings given:

(1) "Agricultural purposes", clearing, terracing or otherwise preparing the ground on a farm; preparing soil for planting and fertilizing, cultivating, raising and harvesting crops; raising and feeding livestock and poultry; building fences; pumping water for any and all uses on the farm, including irrigation; building roads upon any farm by the owner or person farming the same; operating milking machines; sawing wood for use on a farm; producing electricity for use on a farm; movement of tractors, farm implements and nonlicensed equipment from one field to another;

(2) "Alternative fuel", electricity, liquefied petroleum gas (LPG or LP gas),

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

12 compressed natural gas product, or a combination of liquefied petroleum gas and  
13 a compressed natural gas or electricity product used in an internal combustion  
14 engine or motor to propel any form of vehicle, machine, or mechanical  
15 contrivance. It includes all forms of fuel commonly or commercially known or sold  
16 as butane, propane, or compressed natural gas;

17 (3) "Aviation fuel", any motor fuel specifically compounded for use in  
18 reciprocating aircraft engines;

19 (4) "Blend stock", any petroleum product component of motor fuel, such  
20 as naphtha, reformat, toluene or kerosene, that can be blended for use in a motor  
21 fuel without further processing. The term includes those petroleum products  
22 presently defined by the Internal Revenue Service in regulations pursuant to 26  
23 U.S.C., Sections 4081 and 4082, as amended. However, the term does not include  
24 any substance that:

25 (a) Will be ultimately used for consumer nonmotor fuel use; and

26 (b) Is sold or removed in drum quantities (fifty-five gallons) or less at the  
27 time of the removal or sale;

28 (5) "Blended fuel", a mixture composed of motor fuel and another liquid  
29 including blend stock, other than a de minimis amount of a product such as  
30 carburetor detergent or oxidation inhibitor, that can be used as a fuel in a  
31 highway vehicle. This term includes but is not limited to gasohol, ethanol,  
32 methanol, fuel grade alcohol, diesel fuel enhancers and resulting blends;

33 (6) "Blender", any person that produces blended motor fuel outside the  
34 bulk transfer/terminal system;

35 (7) "Blending", the mixing of one or more petroleum products, with or  
36 without another product, regardless of the original character of the product  
37 blended, if the product obtained by the blending is capable of use or otherwise  
38 sold for use in the generation of power for the propulsion of a motor vehicle, an  
39 airplane, or a motorboat. The term does not include the blending that occurs in  
40 the process of refining by the original refiner of crude petroleum or the blending  
41 of products known as lubricating oil and greases;

42 (8) "Bulk plant", a bulk motor fuel storage and distribution facility that  
43 is not a terminal within the bulk transfer system and from which motor fuel may  
44 be removed by truck;

45 (9) "Bulk transfer", any transfer of motor fuel from one location to another  
46 by pipeline tender or marine delivery within the bulk transfer/terminal system;

47 (10) "Bulk transfer/terminal system", the motor fuel distribution system  
48 consisting of refineries, pipelines, vessels, and terminals. Motor fuel in a

49 refinery, pipeline, boat, barge or terminal is in the bulk transfer/terminal  
50 system. Motor fuel in the fuel supply tank of any engine, or in any tank car, rail  
51 car, trailer, truck, or other equipment suitable for ground transportation is not  
52 in the bulk transfer/terminal system;

53 (11) "Consumer", the user of the motor fuel;

54 (12) "Delivery", the placing of motor fuel or any liquid **or propulsion**  
55 **energy** into the **battery, fuel tank, or storage device** of a motor vehicle or  
56 bulk storage facility;

57 (13) "Department", the department of revenue;

58 (14) "Destination state", the state, territory, or foreign country to which  
59 motor fuel is directed for delivery into a storage facility, a receptacle, a container,  
60 or a type of transportation equipment for the purpose of resale or use;

61 (15) "Diesel fuel", any liquid that is commonly or commercially known or  
62 sold as a fuel that is suitable for use in a diesel-powered highway vehicle. A  
63 liquid meets this requirement if, without further processing or blending, the  
64 liquid has practical and commercial fitness for use in the propulsion engine of a  
65 diesel-powered highway vehicle. "Diesel fuel" does not include jet fuel sold to a  
66 buyer who is registered with the Internal Revenue Service to purchase jet fuel  
67 and remit taxes on its sale or use to the Internal Revenue Service. "Diesel fuel"  
68 does not include biodiesel commonly referred to as B100 and defined in ASTM  
69 D6751, B99, or B99.9 until such biodiesel is blended with other diesel fuel or sold  
70 for highway use;

71 (16) "Diesel-powered highway vehicle", a motor vehicle operated on a  
72 highway that is propelled by a diesel-powered engine;

73 (17) "Director", the director of revenue;

74 (18) "Distributor", a person who either produces, refines, blends,  
75 compounds or manufactures motor fuel, imports motor fuel into a state or exports  
76 motor fuel out of a state, or who is engaged in distribution of motor fuel;

77 (19) "Dyed fuel", diesel fuel or kerosene that is required to be dyed  
78 pursuant to United States Environmental Protection Agency rules or is dyed  
79 pursuant to Internal Revenue Service rules or pursuant to any other  
80 requirements subsequently set by the United States Environmental Protection  
81 Agency or Internal Revenue Service including any invisible marker requirements;

82 (20) "Eligible purchaser", a distributor who has been authorized by the  
83 director to purchase motor fuel on a tax-deferred basis;

84 (21) "Export", to obtain motor fuel in this state for sale or other  
85 distribution outside of this state. In applying this definition, motor fuel delivered

86 out of state by or for the seller constitutes an export by the seller, and motor fuel  
87 delivered out of state by or for the purchaser constitutes an export by the  
88 purchaser;

89 (22) "Exporter", any person, other than a supplier, who purchases motor  
90 fuel in this state for the purpose of transporting or delivering the fuel outside of  
91 this state;

92 (23) "Farm tractor", all tractor-type, motorized farm implements and  
93 equipment but shall not include motor vehicles of the truck-type, pickup truck-  
94 type, automobiles, and other motor vehicles required to be registered and licensed  
95 each year pursuant to the provisions of the motor vehicle license and registration  
96 laws of this state;

97 (24) "Fuel grade alcohol", a methanol or ethanol with a proof of not less  
98 than one hundred ninety degrees (determined without regard to denaturants) and  
99 products derived from such alcohol for blending with motor fuel;

100 (25) "Fuel transportation vehicle", any vehicle designed for highway use  
101 which is also designed or used to transport motor fuels and includes transport  
102 trucks and tank wagons;

103 (26) "Gasoline", all products commonly or commercially known or sold as  
104 gasoline that are suitable for use as a motor fuel. Gasoline does not include  
105 products that have an American Society for Testing and Materials (ASTM) octane  
106 number of less than seventy-five as determined by the motor method;

107 (27) "Gross gallons", the total measured motor fuel, exclusive of any  
108 temperature or pressure adjustments, in U.S. gallons;

109 (28) "Heating oil", a motor fuel that is burned in a boiler, furnace, or stove  
110 for heating or industrial processing purposes;

111 (29) "Import", to bring motor fuel into this state by any means of  
112 conveyance other than in the fuel supply tank of a motor vehicle. In applying  
113 this definition, motor fuel delivered into this state from out-of-state by or for the  
114 seller constitutes an import by the seller, and motor fuel delivered into this state  
115 from out-of-state by or for the purchaser constitutes an import by the purchaser;

116 (30) "Import verification number", the number assigned by the director  
117 with respect to a single transport truck delivery into this state from another state  
118 upon request for an assigned number by an importer or the transporter carrying  
119 motor fuel into this state for the account of an importer;

120 (31) "Importer" includes any person who is the importer of record,  
121 pursuant to federal customs law, with respect to motor fuel. If the importer of  
122 record is acting as an agent, the person for whom the agent is acting is the

123 importer. If there is no importer of record of motor fuel entered into this state,  
124 the owner of the motor fuel at the time it is brought into this state is the  
125 importer;

126 (32) "Interstate motor fuel user", any person who operates a motor fuel-  
127 powered motor vehicle with a licensed gross weight exceeding twenty-six  
128 thousand pounds that travels from this state into another state or from another  
129 state into this state;

130 (33) "Invoiced gallons", the gallons actually billed on an invoice for  
131 payment to a supplier which shall be either gross or net gallons on the original  
132 manifest or bill of lading;

133 (34) "K-1 kerosene", a petroleum product having an A.P.I. gravity of not  
134 less than forty degrees, at a temperature of sixty degrees Fahrenheit and a  
135 minimum flash point of one hundred degrees Fahrenheit with a sulfur content not  
136 exceeding four one-hundredths percent by weight;

137 (35) "Kerosene", the petroleum fraction containing hydrocarbons that are  
138 slightly heavier than those found in gasoline and naphtha, with a boiling range  
139 of one hundred forty-nine to three hundred degrees Celsius;

140 (36) "Liquid", any substance that is liquid in excess of sixty degrees  
141 Fahrenheit and at a pressure of fourteen and seven-tenths pounds per square  
142 inch absolute;

143 (37) "Motor fuel", gasoline, diesel fuel, kerosene and blended fuel;

144 (38) "Motor vehicle", any automobile, truck, truck-tractor or any motor bus  
145 or self-propelled vehicle not exclusively operated or driven upon fixed rails or  
146 tracks. The term does not include:

147 (a) Farm tractors or machinery including tractors and machinery designed  
148 for off-road use but capable of movement on roads at low speeds, or

149 (b) A vehicle solely operated on rails;

150 (39) "Net gallons", the motor fuel, measured in U.S. gallons, when  
151 corrected to a temperature of sixty degrees Fahrenheit and a pressure of fourteen  
152 and seven-tenths pounds per square inch absolute (psi);

153 (40) "Permissive supplier", an out-of-state supplier that elects, but is not  
154 required, to have a supplier's license pursuant to this chapter;

155 (41) "Person", natural persons, individuals, partnerships, firms,  
156 associations, corporations, estates, trustees, business trusts, syndicates, this  
157 state, any county, city, municipality, school district or other political subdivision  
158 of the state, federally recognized Indian tribe, or any corporation or combination  
159 acting as a unit or any receiver appointed by any state or federal court;

160 (42) "Position holder", the person who holds the inventory position in  
161 motor fuel in a terminal, as reflected on the records of the terminal operator. A  
162 person holds the inventory position in motor fuel when that person has a contract  
163 with the terminal operator for the use of storage facilities and terminating  
164 services for motor fuel at the terminal. The term includes a terminal operator  
165 who owns motor fuel in the terminal;

166 (43) "Propel", the operation of a motor vehicle, whether it is in motion or  
167 at rest;

168 (44) "Public highway", every road, toll road, highway, street, way or place  
169 generally open to the use of the public as a matter of right for the purposes of  
170 vehicular travel, including streets and alleys of any town or city notwithstanding  
171 that the same may be temporarily closed for construction, reconstruction,  
172 maintenance or repair;

173 (45) "Qualified terminal", a terminal which has been assigned a terminal  
174 control number ("tcn") by the Internal Revenue Service;

175 (46) "Rack", a mechanism for delivering motor fuel from a refinery or  
176 terminal into a railroad tank car, a transport truck or other means of bulk  
177 transfer outside of the bulk transfer/terminal system;

178 (47) "Refiner", any person that owns, operates, or otherwise controls a  
179 refinery;

180 (48) "Refinery", a facility used to produce motor fuel from crude oil,  
181 unfinished oils, natural gas liquids, or other hydrocarbons and from which motor  
182 fuel may be removed by pipeline, by boat or barge, or at a rack;

183 (49) "Removal", any physical transfer of motor fuel from a terminal,  
184 manufacturing plant, customs custody, pipeline, boat or barge, refinery or any  
185 facility that stores motor fuel;

186 (50) "Retailer", a person that engages in the business of selling or  
187 dispensing to the consumer within this state;

188 (51) "Supplier", a person that is:

189 (a) Registered or required to be registered pursuant to 26 U.S.C., Section  
190 4101, for transactions in motor fuels in the bulk transfer/terminal distribution  
191 system; and

192 (b) One or more of the following:

193 a. The position holder in a terminal or refinery in this state;

194 b. Imports motor fuel into this state from a foreign country;

195 c. Acquires motor fuel from a terminal or refinery in this state from a  
196 position holder pursuant to either a two-party exchange or a qualified buy-sell

197 arrangement which is treated as an exchange and appears on the records of the  
198 terminal operator; or

199 d. The position holder in a terminal or refinery outside this state with  
200 respect to motor fuel which that person imports into this state. A terminal  
201 operator shall not be considered a supplier based solely on the fact that the  
202 terminal operator handles motor fuel consigned to it within a  
203 terminal. "Supplier" also means a person that produces fuel grade alcohol or  
204 alcohol-derivative substances in this state, produces fuel grade alcohol or alcohol-  
205 derivative substances for import to this state into a terminal, or acquires upon  
206 import by truck, rail car or barge into a terminal, fuel grade alcohol or alcohol-  
207 derivative substances. "Supplier" includes a permissive supplier unless  
208 specifically provided otherwise;

209 (52) "Tank wagon", a straight truck having multiple compartments  
210 designed or used to carry motor fuel;

211 (53) "Terminal", a bulk storage and distribution facility which includes:

212 (a) For the purposes of motor fuel, is a qualified terminal;

213 (b) For the purposes of fuel grade alcohol, is supplied by truck, rail car,  
214 boat, barge or pipeline and the products are removed at a rack;

215 (54) "Terminal bulk transfers" include but are not limited to the following:

216 (a) Boat or barge movement of motor fuel from a refinery or terminal to  
217 a terminal;

218 (b) Pipeline movements of motor fuel from a refinery or terminal to a  
219 terminal;

220 (c) Book transfers of product within a terminal between suppliers prior  
221 to completion of removal across the rack; and

222 (d) Two-party exchanges or buy-sell supply arrangements within a  
223 terminal between licensed suppliers;

224 (55) "Terminal operator", any person that owns, operates, or otherwise  
225 controls a terminal. A terminal operator may own the motor fuel that is  
226 transferred through or stored in the terminal;

227 (56) "Transmix", the buffer or interface between two different products in  
228 a pipeline shipment, or a mix of two different products within a refinery or  
229 terminal that results in an off-grade mixture;

230 (57) "Transport truck", a semitrailer combination rig designed or used to  
231 transport motor fuel over the highways;

232 (58) "Transporter", any operator of a pipeline, barge, railroad or transport  
233 truck engaged in the business of transporting motor fuels;

234 (59) "Two-party exchange", a transaction in which the motor fuel is  
235 transferred from one licensed supplier or licensed permissive supplier to another  
236 licensed supplier or licensed permissive supplier and:

237 (a) Which transaction includes a transfer from the person that holds the  
238 original inventory position for motor fuel in the terminal as reflected on the  
239 records of the terminal operator; and

240 (b) The exchange transaction is simultaneous with removal from the  
241 terminal by the receiving exchange partner. However, in any event, the terminal  
242 operator in its books and records treats the receiving exchange party as the  
243 supplier which removes the product across a terminal rack for purposes of  
244 reporting such events to this state;

245 (60) "Ultimate vendor", a person that sells motor fuel to the consumer;

246 (61) "Undyed diesel fuel", diesel fuel that is not subject to the United  
247 States Environmental Protection Agency dyeing requirements, or has not been  
248 dyed in accordance with Internal Revenue Service fuel dyeing provisions; and

249 (62) "Vehicle fuel tank", any receptacle on a motor vehicle from which fuel  
250 is supplied for the propulsion of the motor vehicle.

142.803. 1. A tax is levied and imposed on all motor fuel used or  
2 consumed in this state as follows:

3 (1) Motor fuel, seventeen cents per gallon;

4 (2) Alternative fuels, not subject to the decal fees as provided in section  
5 142.869, with a power potential equivalent of motor fuel. In the event alternative  
6 fuel, which is not commonly sold or measured by the gallon, is used in motor  
7 vehicles on the highways of this state, the director is authorized to assess and  
8 collect a tax upon such alternative fuel measured by the nearest power potential  
9 equivalent to that of one gallon of regular grade gasoline. The determination by  
10 the director of the power potential equivalent of such alternative fuel shall be  
11 prima facie correct;

12 (3) Aviation fuel used in propelling aircraft with reciprocating engines,  
13 nine cents per gallon as levied and imposed by section 155.080 to be collected as  
14 required under this chapter;

15 (4) Compressed natural gas fuel, five cents per gasoline gallon equivalent  
16 until December 31, 2019, eleven cents per gasoline gallon equivalent from  
17 January 1, 2020, until December 31, 2024, and then seventeen cents per gasoline  
18 gallon equivalent thereafter. The gasoline gallon equivalent and method of sale  
19 for compressed natural gas shall be as published by the National Institute of  
20 Standards and Technology in Handbooks 44 and 130, and supplements thereto

21 or revisions thereof. In the absence of such standard or agreement, the gasoline  
22 gallon equivalent and method of sale for compressed natural gas shall be equal  
23 to five and sixty-six-hundredths pounds of compressed natural gas. All applicable  
24 provisions contained in this chapter governing administration, collections, and  
25 enforcement of the state motor fuel tax shall apply to the tax imposed on  
26 compressed natural gas, including but not limited to licensing, reporting,  
27 penalties, and interest;

28 (5) Liquefied natural gas fuel, five cents per diesel gallon equivalent until  
29 December 31, 2019, eleven cents per diesel gallon equivalent from January 1,  
30 2020, until December 31, 2024, and then seventeen cents per diesel gallon  
31 equivalent thereafter. The diesel gallon equivalent and method of sale for  
32 liquefied natural gas shall be as published by the National Institute of Standards  
33 and Technology in Handbooks 44 and 130, and supplements thereto or revisions  
34 thereof.

35 In the absence of such standard or agreement, the diesel gallon equivalent and  
36 method of sale for liquefied natural gas shall be equal to six and six-hundredths  
37 pounds of liquefied natural gas. All applicable provisions contained in this  
38 chapter governing administration, collections, and enforcement of the state motor  
39 fuel tax shall apply to the tax imposed on liquefied natural gas, including but not  
40 limited to licensing, reporting, penalties, and interest;

41 (6) **Propane gas fuel, five cents per gallon until December 31,**  
42 **2019, eleven cents per gallon from January 1, 2020, until December 31,**  
43 **2024, and then seventeen cents per gallon thereafter. All applicable**  
44 **provisions contained in this chapter governing administration,**  
45 **collection, and enforcement of the state motor fuel tax shall apply to**  
46 **the tax imposed on propane gas including, but not limited to, licensing,**  
47 **reporting, penalties, and interest;**

48 (7) If a natural gas, compressed natural gas, [or] liquefied natural gas,  
49 **electric, or propane** connection is used for fueling motor vehicles and for  
50 another use, such as heating, the tax imposed by this section shall apply to the  
51 entire amount of natural gas, compressed natural gas, [or] liquefied natural gas,  
52 **electricity, or propane** used unless an approved separate metering and  
53 accounting system is in place.

54 2. All taxes, surcharges and fees are imposed upon the ultimate consumer,  
55 but are to be precollected as described in this chapter, for the facility and  
56 convenience of the consumer. The levy and assessment on other persons as  
57 specified in this chapter shall be as agents of this state for the precollection of the

58 tax.

142.869. 1. The tax imposed by this chapter shall not apply to passenger  
2 motor vehicles, buses as defined in section 301.010, or commercial motor vehicles  
3 registered in this state which are powered by alternative fuel, and for which a  
4 valid decal has been acquired as provided in this section, provided that sales  
5 made to alternative fueled vehicles powered by **propane**, compressed natural  
6 gas, or liquefied natural gas that do not meet the requirements of subsection 3  
7 of this section shall be taxed exclusively pursuant to subdivisions (4) [and (5)] to  
8 **(7)** of subsection 1 of section 142.803, respectively. The owners or operators of  
9 such motor vehicles, **except plug-in electric hybrids**, shall, in lieu of the tax  
10 imposed by section 142.803, pay an annual alternative fuel decal fee as follows:  
11 seventy-five dollars on each passenger motor vehicle, school bus as defined in  
12 section 301.010, and commercial motor vehicle with a licensed gross vehicle  
13 weight of eighteen thousand pounds or less; one hundred dollars on each motor  
14 vehicle with a licensed gross weight in excess of eighteen thousand pounds but  
15 not more than thirty-six thousand pounds used for farm or farming transportation  
16 operations and registered with a license plate designated with the letter "F"; one  
17 hundred fifty dollars on each motor vehicle with a licensed gross vehicle weight  
18 in excess of eighteen thousand pounds but less than or equal to thirty-six  
19 thousand pounds, and each passenger-carrying motor vehicle subject to the  
20 registration fee provided in sections 301.059, 301.061 and 301.063; two hundred  
21 fifty dollars on each motor vehicle with a licensed gross weight in excess of thirty-  
22 six thousand pounds used for farm or farming transportation operations and  
23 registered with a license plate designated with the letter "F"; and one thousand  
24 dollars on each motor vehicle with a licensed gross vehicle weight in excess of  
25 thirty-six thousand pounds. **Owners or operators of plug-in electric**  
26 **hybrids shall pay one-half of the stated annual alternative fuel decal**  
27 **fee.** Notwithstanding provisions of this section to the contrary, motor vehicles  
28 licensed as historic under section 301.131 which are powered by alternative fuel  
29 shall be exempt from both the tax imposed by this chapter and the alternative  
30 fuel decal requirements of this section. **For the purposes of this section, a**  
31 **plug-in electric hybrid shall be any hybrid vehicle made by a**  
32 **manufacturer with a model year of 2018 or newer, that has not been**  
33 **modified from the original manufacturer specifications, with an**  
34 **internal combustion engine and batteries that can be recharged by**  
35 **connecting a plug to an electric power source.**

36 2. Except interstate fuel users and vehicles licensed under a reciprocity

37 agreement as defined in section 142.617, the tax imposed by section 142.803 shall  
38 not apply to motor vehicles registered outside this state which are powered by  
39 alternative fuel other than **propane**, compressed natural gas, and liquefied  
40 natural gas, and for which a valid temporary alternative fuel decal has been  
41 acquired as provided in this section. The owners or operators of such motor  
42 vehicles shall, in lieu of the tax imposed by section 142.803, pay a temporary  
43 alternative fuel decal fee of eight dollars on each such vehicle. Such decals shall  
44 be valid for a period of fifteen days from the date of issuance and shall be  
45 attached to the lower right-hand corner of the front windshield on the motor  
46 vehicle for which it was issued. Such decal and fee shall not be transferable. All  
47 proceeds from such decal fees shall be deposited as specified in section  
48 142.345. Alternative fuel dealers selling such decals in accordance with rules and  
49 regulations prescribed by the director shall be allowed to retain fifty cents for  
50 each decal fee timely remitted to the director.

51         3. Owners or operators of passenger motor vehicles, buses as defined in  
52 section 301.010, or commercial motor vehicles registered in this state which are  
53 powered by compressed natural gas or liquefied natural gas who have installed  
54 a compressed natural gas fueling station or liquefied natural gas fueling station  
55 used solely to fuel the motor vehicles they own or operate as of December 31,  
56 2015, may continue to apply for and use the alternative fuel decal in lieu of  
57 paying the tax imposed under subdivisions (4) and (5) of subsection 1 of section  
58 142.803. Owners or operators of compressed natural gas fueling stations or  
59 liquefied natural gas fueling stations whose vehicles bear an alternative fuel  
60 decal shall be prohibited from selling or providing compressed natural gas or  
61 liquefied natural gas to any motor vehicle they do not own or operate. Owners  
62 or operators of motor vehicles powered by compressed natural gas or liquefied  
63 natural gas bearing an alternative fuel decal after January 1, 2016, that decline  
64 to renew the alternative fuel decals for such motor vehicles shall no longer be  
65 eligible to apply for and use alternative fuel decals under this subsection. Any  
66 compressed natural gas or liquefied natural gas obtained at any fueling station  
67 not owned by the owner or operator of the motor vehicle bearing an alternative  
68 fuel decal shall be subject to the tax under subdivisions (4) and (5) of subsection  
69 1 of section 142.803.

70         4. **An owner or operator of a motor vehicle powered by propane**  
71 **may continue to apply for and use the alternative fuel decal in lieu of**  
72 **paying the tax imposed under subdivision (6) of subsection 1 of section**  
73 **142.803. If the appropriate motor fuel tax under subdivision (6) of**

74 subsection 1 of section 142.803 is collected at the time of fueling, an  
75 operator of a propane fueling station that uses quick-connect fueling  
76 nozzles may sell propane as a motor fuel without verifying the  
77 application of a valid Missouri alternative fuel decal. If an owner or  
78 operator of a motor vehicle powered by propane that bears an  
79 alternative fuel decal refuels at an unattended propane refueling  
80 station, such owner or operator shall not be eligible for a refund of the  
81 motor fuel tax paid at such refueling.

82 5. The director shall annually, on or before January thirty-first of each  
83 year, collect or cause to be collected from owners or operators of the motor  
84 vehicles specified in subsection 1 of this section the annual decal  
85 fee. Applications for such decals shall be supplied by the department of revenue.  
86 In the case of a motor vehicle which is not in operation by January thirty-first of  
87 any year, a decal may be purchased for a fractional period of such year, and the  
88 amount of the decal fee shall be reduced by one-twelfth for each complete month  
89 which shall have elapsed since the beginning of such year. **This subsection**  
90 **shall not apply to an owner or operator of a motor vehicle powered by**  
91 **propane who fuels such vehicle exclusively at unattended fueling**  
92 **stations that collect the motor fuel tax.**

93 [5.] 6. Upon the payment of the fee required by subsection 1 of this  
94 section, the director shall issue a decal, which shall be valid for the current  
95 calendar year and shall be attached to the lower right-hand corner of the front  
96 windshield on the motor vehicle for which it was issued.

97 [6.] 7. The decal fee paid pursuant to subsection 1 of this section for each  
98 motor vehicle shall be transferable upon a change of ownership of the motor  
99 vehicle and, if the LP gas or natural gas equipment is removed from a motor  
100 vehicle upon a change of ownership and is reinstalled in another motor vehicle,  
101 upon such reinstallation. Such transfers shall be accomplished in accordance  
102 with rules and regulations promulgated by the director.

103 [7.] 8. It shall be unlawful for any person to operate a motor vehicle  
104 required to have an alternative fuel decal upon the highways of this state without  
105 a valid decal **unless the motor vehicle is exclusively fueled at propane,**  
106 **compressed natural gas, or liquefied natural gas fueling stations that**  
107 **collect the motor fuel tax.**

108 [8.] 9. No person shall cause to be put, or put, [LP gas] **any alternative**  
109 **fuel** into the fuel supply receptacle **or battery** of a motor vehicle required to  
110 have an alternative fuel decal unless the motor vehicle **either** has a valid decal

111 attached to it **or the appropriate motor fuel tax is collected at the time**  
112 **of such fueling.** [Sales of fuel placed in the supply receptacle of a motor vehicle  
113 displaying such decal shall be recorded upon an invoice, which invoice shall  
114 include the decal number, the motor vehicle license number and the number of  
115 gallons placed in such supply receptacle.]

116 [9.] 10. Any person violating any provision of this section is guilty of an  
117 infraction and shall, upon conviction thereof, be fined five hundred dollars.

118 [10.] 11. Motor vehicles displaying a valid alternative fuel decal are  
119 exempt from the licensing and reporting requirements of this chapter.

287.020. 1. The word "employee" as used in this chapter shall be  
2 construed to mean every person in the service of any employer, as defined in this  
3 chapter, under any contract of hire, express or implied, oral or written, or under  
4 any appointment or election, including executive officers of corporations. Except  
5 as otherwise provided in section 287.200, any reference to any employee who has  
6 been injured shall, when the employee is dead, also include his dependents, and  
7 other persons to whom compensation may be payable. The word "employee" shall  
8 also include all minors who work for an employer, whether or not such minors are  
9 employed in violation of law, and all such minors are hereby made of full age for  
10 all purposes under, in connection with, or arising out of this chapter. The word  
11 "employee" shall not include an individual who is the owner, as defined in  
12 [subdivision (42) of] section 301.010, and operator of a motor vehicle which is  
13 leased or contracted with a driver to a for-hire motor carrier operating within a  
14 commercial zone as defined in section 390.020 or 390.041, or operating under a  
15 certificate issued by the Missouri department of transportation or by the United  
16 States Department of Transportation, or any of its subagencies. The word  
17 "employee" also shall not include any person performing services for board,  
18 lodging, aid, or sustenance received from any religious, charitable, or relief  
19 organization.

20 2. The word "accident" as used in this chapter shall mean an unexpected  
21 traumatic event or unusual strain identifiable by time and place of occurrence  
22 and producing at the time objective symptoms of an injury caused by a specific  
23 event during a single work shift. An injury is not compensable because work was  
24 a triggering or precipitating factor.

25 3. (1) In this chapter the term "injury" is hereby defined to be an injury  
26 which has arisen out of and in the course of employment. An injury by accident  
27 is compensable only if the accident was the prevailing factor in causing both the  
28 resulting medical condition and disability. "The prevailing factor" is defined to

29 be the primary factor, in relation to any other factor, causing both the resulting  
30 medical condition and disability.

31 (2) An injury shall be deemed to arise out of and in the course of the  
32 employment only if:

33 (a) It is reasonably apparent, upon consideration of all the circumstances,  
34 that the accident is the prevailing factor in causing the injury; and

35 (b) It does not come from a hazard or risk unrelated to the employment  
36 to which workers would have been equally exposed outside of and unrelated to the  
37 employment in normal nonemployment life.

38 (3) An injury resulting directly or indirectly from idiopathic causes is not  
39 compensable.

40 (4) A cardiovascular, pulmonary, respiratory, or other disease, or  
41 cerebrovascular accident or myocardial infarction suffered by a worker is an  
42 injury only if the accident is the prevailing factor in causing the resulting medical  
43 condition.

44 (5) The terms "injury" and "personal injuries" shall mean violence to the  
45 physical structure of the body and to the personal property which is used to make  
46 up the physical structure of the body, such as artificial dentures, artificial limbs,  
47 glass eyes, eyeglasses, and other prostheses which are placed in or on the body  
48 to replace the physical structure and such disease or infection as naturally results  
49 therefrom. These terms shall in no case except as specifically provided in this  
50 chapter be construed to include occupational disease in any form, nor shall they  
51 be construed to include any contagious or infectious disease contracted during the  
52 course of the employment, nor shall they include death due to natural causes  
53 occurring while the worker is at work.

54 4. "Death" when mentioned as a basis for the right to compensation means  
55 only death resulting from such violence and its resultant effects occurring within  
56 three hundred weeks after the accident; except that in cases of occupational  
57 disease, the limitation of three hundred weeks shall not be applicable.

58 5. Injuries sustained in company-owned or subsidized automobiles in  
59 accidents that occur while traveling from the employee's home to the employer's  
60 principal place of business or from the employer's principal place of business to  
61 the employee's home are not compensable. The extension of premises doctrine is  
62 abrogated to the extent it extends liability for accidents that occur on property  
63 not owned or controlled by the employer even if the accident occurs on customary,  
64 approved, permitted, usual or accepted routes used by the employee to get to and  
65 from their place of employment.

66           6. The term "total disability" as used in this chapter shall mean inability  
67 to return to any employment and not merely mean inability to return to the  
68 employment in which the employee was engaged at the time of the accident.

69           7. As used in this chapter and all acts amendatory thereof, the term  
70 "commission" shall hereafter be construed as meaning and referring exclusively  
71 to the labor and industrial relations commission of Missouri, and the term  
72 "director" shall hereafter be construed as meaning the director of the department  
73 of insurance, financial institutions and professional registration of the state of  
74 Missouri or such agency of government as shall exercise the powers and duties  
75 now conferred and imposed upon the department of insurance, financial  
76 institutions and professional registration of the state of Missouri.

77           8. The term "division" as used in this chapter means the division of  
78 workers' compensation of the department of labor and industrial relations of the  
79 state of Missouri.

80           9. For the purposes of this chapter, the term "minor" means a person who  
81 has not attained the age of eighteen years; except that, for the purpose of  
82 computing the compensation provided for in this chapter, the provisions of section  
83 287.250 shall control.

84           10. In applying the provisions of this chapter, it is the intent of the  
85 legislature to reject and abrogate earlier case law interpretations on the meaning  
86 of or definition of "accident", "occupational disease", "arising out of", and "in the  
87 course of the employment" to include, but not be limited to, holdings in: Bennett  
88 v. Columbia Health Care and Rehabilitation, 80 S.W.3d 524 (Mo.App. W.D. 2002);  
89 Kasl v. Bristol Care, Inc., 984 S.W.2d 852 (Mo.banc 1999); and Drewes v. TWA,  
90 984 S.W.2d 512 (Mo.banc 1999) and all cases citing, interpreting, applying, or  
91 following those cases.

92           11. For the purposes of this chapter, "occupational diseases due to toxic  
93 exposure" shall only include the following: mesothelioma, asbestosis, berylliosis,  
94 coal worker's pneumoconiosis, brochiolitis obliterans, silicosis, silicotuberculosis,  
95 manganism, acute myelogenous leukemia, and myelodysplastic syndrome.

          287.040. 1. Any person who has work done under contract on or about his  
2 premises which is an operation of the usual business which he there carries on  
3 shall be deemed an employer and shall be liable under this chapter to such  
4 contractor, his subcontractors, and their employees, when injured or killed on or  
5 about the premises of the employer while doing work which is in the usual course  
6 of his business.

7           2. The provisions of this section shall not apply to the owner of premises

8 upon which improvements are being erected, demolished, altered or repaired by  
9 an independent contractor but such independent contractor shall be deemed to  
10 be the employer of the employees of his subcontractors and their subcontractors  
11 when employed on or about the premises where the principal contractor is doing  
12 work.

13 3. In all cases mentioned in the preceding subsections, the immediate  
14 contractor or subcontractor shall be liable as an employer of the employees of his  
15 subcontractors. All persons so liable may be made parties to the proceedings on  
16 the application of any party. The liability of the immediate employer shall be  
17 primary, and that of the others secondary in their order, and any compensation  
18 paid by those secondarily liable may be recovered from those primarily liable,  
19 with attorney's fees and expenses of the suit. Such recovery may be had on  
20 motion in the original proceedings. No such employer shall be liable as in this  
21 section provided, if the employee was insured by his immediate or any  
22 intermediate employer.

23 4. The provisions of this section shall not apply to the relationship  
24 between a for-hire motor carrier operating within a commercial zone as defined  
25 in section 390.020 or 390.041 or operating under a certificate issued by the  
26 Missouri department of transportation or by the United States Department of  
27 Transportation, or any of its subagencies, and an owner, as defined in  
28 [subdivision (42) of] section 301.010, and operator of a motor vehicle.

288.035. Notwithstanding the provisions of section 288.034, in the case  
2 of an individual who is the owner, as defined in [subdivision (42) of] section  
3 301.010, and operator of a motor vehicle which is leased or contracted with a  
4 driver to a for-hire common or contract motor vehicle carrier operating within a  
5 commercial zone as defined in section 390.020 or 390.041, or operating under a  
6 certificate issued by the Missouri department of transportation or by the United  
7 States Department of Transportation or any of its subagencies, such  
8 owner/operator shall not be deemed to be an employee, provided, however, such  
9 individual owner and operator shall be deemed to be in employment if the for-hire  
10 common or contract vehicle carrier is an organization described in Section  
11 501(c)(3) of the Internal Revenue Code or any governmental entity.

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

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

6 three, four or more nonhighway tires;

7 (2) "Automobile transporter", any vehicle combination **capable of**  
8 **carrying cargo on the power unit and** designed and used [specifically] for  
9 the transport of assembled motor vehicles, **including truck camper units**;

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

13 (4) "**Backhaul**", **the return trip of a vehicle transporting cargo or**  
14 **general freight, especially when carrying goods back over all or part of**  
15 **the same route**;

16 (5) "Boat transporter", any vehicle combination **capable of carrying**  
17 **cargo on the power unit and** designed and used specifically to transport  
18 assembled boats and boat hulls. **Boats may be partially disassembled to**  
19 **facilitate transporting**;

20 [(5)] (6) "Body shop", a business that repairs physical damage on motor  
21 vehicles that are not owned by the shop or its officers or employees by mending,  
22 straightening, replacing body parts, or painting;

23 [(6)] (7) "Bus", a motor vehicle primarily for the transportation of a  
24 driver and eight or more passengers but not including shuttle buses;

25 [(7)] (8) "Commercial motor vehicle", a motor vehicle designed or  
26 regularly used for carrying freight and merchandise, or more than eight  
27 passengers but not including vanpools or shuttle buses;

28 [(8)] (9) "Cotton trailer", a trailer designed and used exclusively for  
29 transporting cotton at speeds less than forty miles per hour from field to field or  
30 from field to market and return;

31 [(9)] (10) "Dealer", any person, firm, corporation, association, agent or  
32 subagent engaged in the sale or exchange of new, used or reconstructed motor  
33 vehicles or trailers;

34 [(10)] (11) "Director" or "director of revenue", the director of the  
35 department of revenue;

36 [(11)] (12) "Driveaway operation":

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

41 (b) The movement of any vehicle or vehicles, not owned by the transporter,  
42 constituting the commodity being transported, by a person engaged in the

43 business of furnishing drivers and operators for the purpose of transporting  
44 vehicles in transit from one place to another by the driveaway or towaway  
45 methods; or

46 (c) The movement of a motor vehicle by any person who is lawfully  
47 engaged in the business of transporting or delivering vehicles that are not the  
48 person's own and vehicles of a type otherwise required to be registered, by the  
49 driveaway or towaway methods, from a point of manufacture, assembly or  
50 distribution or from the owner of the vehicles to a dealer or sales agent of a  
51 manufacturer or to any consignee designated by the shipper or consignor;

52 [(12)] (13) "Dromedary", a box, deck, or plate mounted behind the cab  
53 and forward of the fifth wheel on the frame of the power unit of a truck  
54 tractor-semitrailer combination. A truck tractor equipped with a dromedary may  
55 carry part of a load when operating independently or in a combination with a  
56 semitrailer;

57 [(13)] (14) "Farm tractor", a tractor used exclusively for agricultural  
58 purposes;

59 [(14)] (15) "Fleet", any group of ten or more motor vehicles owned by the  
60 same owner;

61 [(15)] (16) "Fleet vehicle", a motor vehicle which is included as part of  
62 a fleet;

63 [(16)] (17) "Fullmount", a vehicle mounted completely on the frame of  
64 either the first or last vehicle in a saddlemount combination;

65 [(17)] (18) "Gross weight", the weight of vehicle and/or vehicle  
66 combination without load, plus the weight of any load thereon;

67 [(18)] (19) "Hail-damaged vehicle", any vehicle, the body of which has  
68 become dented as the result of the impact of hail;

69 [(19)] (20) "Highway", any public thoroughfare for vehicles, including  
70 state roads, county roads and public streets, avenues, boulevards, parkways or  
71 alleys in any municipality;

72 [(20)] (21) "Improved highway", a highway which has been paved with  
73 gravel, macadam, concrete, brick or asphalt, or surfaced in such a manner that  
74 it shall have a hard, smooth surface;

75 [(21)] (22) "Intersecting highway", any highway which joins another,  
76 whether or not it crosses the same;

77 [(22)] (23) "Junk vehicle", a vehicle which:

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

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

82 [(23)] (24) "Kit vehicle", a motor vehicle assembled by a person other  
83 than a generally recognized manufacturer of motor vehicles by the use of a glider  
84 kit or replica purchased from an authorized manufacturer and accompanied by  
85 a manufacturer's statement of origin;

86 [(24)] (25) "Land improvement contractors' commercial motor vehicle",  
87 any not-for-hire commercial motor vehicle the operation of which is confined to:

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

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

99 [(25)] (26) "Local commercial motor vehicle", a commercial motor vehicle  
100 whose operations are confined [solely] to a municipality and that area extending  
101 not more than fifty miles therefrom, or a commercial motor vehicle whose  
102 property-carrying operations are confined solely to the transportation of property  
103 owned by any person who is the owner or operator of such vehicle to or from a  
104 farm owned by such person or under the person's control by virtue of a landlord  
105 and tenant lease; provided that any such property transported to any such farm  
106 is for use in the operation of such farm;

107 [(26)] (27) "Local log truck", a commercial motor vehicle which is  
108 registered pursuant to this chapter to operate as a motor vehicle on the public  
109 highways of this state, used exclusively in this state, used to transport harvested  
110 forest products, operated solely at a forested site and in an area extending not  
111 more than a one hundred-mile radius from such site, carries a load with  
112 dimensions not in excess of twenty-five cubic yards per two axles with dual  
113 wheels, and when operated on the national system of interstate and defense  
114 highways described in 23 U.S.C. Section 103, as amended, **or outside the one**  
115 **hundred mile radius from such site with an extended distance local log**  
116 **truck permit**, such vehicle shall not exceed the weight limits of section 304.180,

117 does not have more than four axles, and does not pull a trailer which has more  
118 than two axles. Harvesting equipment which is used specifically for cutting,  
119 felling, trimming, delimiting, debarking, chipping, skidding, loading, unloading,  
120 and stacking may be transported on a local log truck. A local log truck may not  
121 exceed the limits required by law, however, if the truck does exceed such limits  
122 as determined by the inspecting officer, then notwithstanding any other  
123 provisions of law to the contrary, such truck shall be subject to the weight limits  
124 required by such sections as licensed for eighty thousand pounds;

125 [(27)] **(28)** "Local log truck tractor", a commercial motor vehicle which is  
126 registered under this chapter to operate as a motor vehicle on the public  
127 highways of this state, used exclusively in this state, used to transport harvested  
128 forest products, operated [solely] at a forested site and in an area extending not  
129 more than a one hundred-mile radius from such site, operates with a weight not  
130 exceeding twenty-two thousand four hundred pounds on one axle or with a weight  
131 not exceeding forty-four thousand eight hundred pounds on any tandem axle, and  
132 when operated on the national system of interstate and defense highways  
133 described in [Title 23, Section 103(e) of the United States Code] **23 U.S.C.**  
134 **Section 103, as amended, or outside the one hundred mile radius from**  
135 **such site with an extended distance local log truck permit**, such vehicle  
136 does not exceed the weight limits contained in section 304.180, and does not have  
137 more than three axles and does not pull a trailer which has more than two  
138 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 [(28)] **(29)** "Local transit bus", a bus whose operations are confined  
141 wholly within a municipal corporation, or wholly within a municipal corporation  
142 and a commercial zone, as defined in section 390.020, adjacent thereto, forming  
143 a part of a public transportation system within such municipal corporation and  
144 such municipal corporation and adjacent commercial zone;

145 [(29)] **(30)** "Log truck", a vehicle which is not a local log truck or local log  
146 truck tractor and is used exclusively to transport harvested forest products to and  
147 from forested sites which is registered pursuant to this chapter to operate as a  
148 motor vehicle on the public highways of this state for the transportation of  
149 harvested forest products;

150 [(30)] **(31)** "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 [(31)] **(32)** "Manufacturer", any person, firm, corporation or association

154 engaged in the business of manufacturing or assembling motor vehicles, trailers  
155 or vessels for sale;

156 [(32)] **(33)** "Motor change vehicle", a vehicle manufactured prior to  
157 August, 1957, which receives a new, rebuilt or used engine, and which used the  
158 number stamped on the original engine as the vehicle identification number;

159 [(33)] **(34)** "Motor vehicle", any self-propelled vehicle not operated  
160 exclusively upon tracks, except farm tractors;

161 [(34)] **(35)** "Motor vehicle primarily for business use", any vehicle other  
162 than a recreational motor vehicle, motorcycle, motortricycle, or any commercial  
163 motor 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 [(35)] **(36)** "Motorcycle", a motor vehicle operated on two wheels;

167 [(36)] **(37)** "Motorized bicycle", any two-wheeled or three-wheeled device  
168 having an automatic transmission and a motor with a cylinder capacity of not  
169 more than fifty cubic centimeters, which produces less than three gross brake  
170 horsepower, and is capable of propelling the device at a maximum speed of not  
171 more than thirty miles per hour on level ground;

172 [(37)] **(38)** "Motortricycle", a motor vehicle operated on three wheels,  
173 including a motorcycle while operated with any conveyance, temporary or  
174 otherwise, requiring the use of a third wheel. A motortricycle shall not be  
175 included in the definition of all-terrain vehicle;

176 [(38)] **(39)** "Municipality", any city, town or village, whether incorporated  
177 or not;

178 [(39)] **(40)** "Nonresident", a resident of a state or country other than the  
179 state of Missouri;

180 [(40)] **(41)** "Non-USA-std motor vehicle", a motor vehicle not originally  
181 manufactured in compliance with United States emissions or safety standards;

182 [(41)] **(42)** "Operator", any person who operates or drives a motor vehicle;

183 [(42)] **(43)** "Owner", any person, firm, corporation or association, who  
184 holds the legal title to a vehicle or in the event a vehicle is the subject of an  
185 agreement for the conditional sale or lease thereof with the right of purchase  
186 upon performance of the conditions stated in the agreement and with an  
187 immediate right of possession vested in the conditional vendee or lessee, or in the  
188 event a mortgagor of a vehicle is entitled to possession, then such conditional  
189 vendee or lessee or mortgagor shall be deemed the owner [for the purpose of this  
190 law];

191            [(43)] **(44)** "Public garage", a place of business where motor vehicles are  
192 housed, stored, repaired, reconstructed or repainted for persons other than the  
193 owners or operators of such place of business;

194            [(44)] **(45)** "Rebuilder", a business that repairs or rebuilds motor vehicles  
195 owned by the rebuilder, but does not include certificated common or contract  
196 carriers of persons or property;

197            [(45)] **(46)** "Reconstructed motor vehicle", a vehicle that is altered from  
198 its original construction by the addition or substitution of two or more new or  
199 used major component parts, excluding motor vehicles made from all new parts,  
200 and new multistage manufactured vehicles;

201            [(46)] **(47)** "Recreational motor vehicle", any motor vehicle designed,  
202 constructed or substantially modified so that it may be used and is used for the  
203 purposes of temporary housing quarters, including therein sleeping and eating  
204 facilities which are either permanently attached to the motor vehicle or attached  
205 to a unit which is securely attached to the motor vehicle. Nothing herein shall  
206 prevent any motor vehicle from being registered as a commercial motor vehicle  
207 if the motor vehicle could otherwise be so registered;

208            [(47)] **(48)** "Recreational off-highway vehicle", any motorized vehicle  
209 manufactured and used exclusively for off-highway use which is more than fifty  
210 inches but no more than sixty-seven inches in width, with an unladen dry weight  
211 of two thousand pounds or less, traveling on four or more nonhighway tires and  
212 which may have access to ATV trails;

213            [(48)] **(49)** "Rollback or car carrier", any vehicle specifically designed to  
214 transport wrecked, disabled or otherwise inoperable vehicles, when the  
215 transportation is directly connected to a wrecker or towing service;

216            [(49)] **(50)** "Saddlemount combination", a combination of vehicles in  
217 which a truck or truck tractor tows one or more trucks or truck tractors, each  
218 connected by a saddle to the frame or fifth wheel of the vehicle in front of it. The  
219 "saddle" is a mechanism that connects the front axle of the towed vehicle to the  
220 frame or fifth wheel of the vehicle in front and functions like a fifth wheel kingpin  
221 connection. When two vehicles are towed in this manner the combination is  
222 called a "double saddlemount combination". When three vehicles are towed in  
223 this manner, the combination is called a "triple saddlemount combination";

224            [(50)] **(51)** "Salvage dealer and dismantler", a business that dismantles  
225 used motor vehicles for the sale of the parts thereof, and buys and sells used  
226 motor vehicle parts and accessories;

227            [(51)] **(52)** "Salvage vehicle", a motor vehicle, semitrailer, or house trailer

228 which:

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

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

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

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

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

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

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

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

257 [(52)] **(53)** "School bus", any motor vehicle used solely to transport  
258 students to or from school or to transport students to or from any place for  
259 educational purposes;

260 [(53)] **(54)** "Scrap processor", a business that, through the use of fixed or  
261 mobile equipment, flattens, crushes, or otherwise accepts motor vehicles and  
262 vehicle parts for processing or transportation to a shredder or scrap metal  
263 operator for recycling;

264 [(54)] **(55)** "Shuttle bus", a motor vehicle used or maintained by any

265 person, firm, or corporation as an incidental service to transport patrons or  
266 customers of the regular business of such person, firm, or corporation to and from  
267 the place of business of the person, firm, or corporation providing the service at  
268 no fee or charge. Shuttle buses shall not be registered as buses or as commercial  
269 motor vehicles;

270 [(55)] **(56)** "Special mobile equipment", every self-propelled vehicle not  
271 designed or used primarily for the transportation of persons or property and  
272 incidentally operated or moved over the highways, including farm equipment,  
273 implements of husbandry, road construction or maintenance machinery,  
274 ditch-digging apparatus, stone crushers, air compressors, power shovels, cranes,  
275 graders, rollers, well-drillers and wood-sawing equipment used for hire, asphalt  
276 spreaders, bituminous mixers, bucket loaders, ditchers, leveling graders, finished  
277 machines, motor graders, road rollers, scarifiers, earth-moving carryalls, scrapers,  
278 drag lines, concrete pump trucks, rock-drilling and earth-moving equipment. This  
279 enumeration shall be deemed partial and shall not operate to exclude other such  
280 vehicles which are within the general terms of this section;

281 [(56)] **(57)** "Specially constructed motor vehicle", a motor vehicle which  
282 shall not have been originally constructed under a distinctive name, make, model  
283 or type by a manufacturer of motor vehicles. The term specially constructed  
284 motor vehicle includes kit vehicles;

285 [(57)] **(58)** "Stinger-steered combination", a truck tractor-semitrailer  
286 wherein the fifth wheel is located on a drop frame located behind and below the  
287 rearmost axle of the power unit;

288 [(58)] **(59)** "Tandem axle", a group of two or more axles, arranged one  
289 behind another, the distance between the extremes of which is more than forty  
290 inches and not more than ninety-six inches apart;

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

297 [(59)] **(61)** "Tractor", "truck tractor" or "truck-tractor", a self-propelled  
298 motor vehicle designed for drawing other vehicles, but not for the carriage of any  
299 load when operating independently. When attached to a semitrailer, it supports  
300 a part of the weight thereof;

301 [(60)] **(62)** "Trailer", any vehicle without motive power designed for

302 carrying property or passengers on its own structure and for being drawn by a  
303 self-propelled vehicle, except those running exclusively on tracks, including a  
304 semitrailer or vehicle of the trailer type so designed and used in conjunction with  
305 a self-propelled vehicle that a considerable part of its own weight rests upon and  
306 is carried by the towing vehicle. The term trailer shall not include cotton trailers  
307 as defined in [subdivision (8) of] this section and shall not include manufactured  
308 homes as defined in section 700.010;

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

312 [(61)] **(64) "Truck",** a motor vehicle designed, used, or maintained for the  
313 transportation of property;

314 [(62)] **(65) "Truck-tractor semitrailer-semitrailer",** a combination vehicle  
315 in which the two trailing units are connected with a B-train assembly which is  
316 a rigid frame extension attached to the rear frame of a first semitrailer which  
317 allows for a fifth-wheel connection point for the second semitrailer and has one  
318 less articulation point than the conventional A-dolly connected truck-tractor  
319 semitrailer-trailer combination;

320 [(63)] **(66) "Truck-trailer boat transporter combination",** a boat  
321 transporter combination consisting of a straight truck towing a trailer using  
322 typically a ball and socket connection with the trailer axle located substantially  
323 at the trailer center of gravity rather than the rear of the trailer but so as to  
324 maintain a downward force on the trailer tongue;

325 [(64)] **(67) "Used parts dealer",** a business that buys and sells used motor  
326 vehicle parts or accessories, but not including a business that sells only new,  
327 remanufactured or rebuilt parts. Business does not include isolated sales at a  
328 swap meet of less than three days;

329 [(65)] **(68) "Utility vehicle",** any motorized vehicle manufactured and  
330 used exclusively for off-highway use which is more than fifty inches but no more  
331 than sixty-seven inches in width, with an unladen dry weight of two thousand  
332 pounds or less, traveling on four or six wheels, to be used primarily for  
333 landscaping, lawn care, or maintenance purposes;

334 [(66)] **(69) "Vanpool",** any van or other motor vehicle used or maintained  
335 by any person, group, firm, corporation, association, city, county or state agency,  
336 or any member thereof, for the transportation of not less than eight nor more  
337 than forty-eight employees, per motor vehicle, to and from their place of  
338 employment; however, a vanpool shall not be included in the definition of the

339 term bus or commercial motor vehicle as defined [by subdivisions (6) and (7) of]  
340 in this section, nor shall a vanpool driver be deemed a chauffeur as that term is  
341 defined by section 303.020; nor shall use of a vanpool vehicle for ride-sharing  
342 arrangements, recreational, personal, or maintenance uses constitute an  
343 unlicensed use of the motor vehicle, unless used for monetary profit other than  
344 for use in a ride-sharing arrangement;

345 [(67)] **(70)** "Vehicle", any mechanical device on wheels, designed  
346 primarily for use, or used, on highways, except motorized bicycles, vehicles  
347 propelled or drawn by horses or human power, or vehicles used exclusively on  
348 fixed rails or tracks, or cotton trailers or motorized wheelchairs operated by  
349 handicapped persons;

350 [(68)] **(71)** "Wrecker" or "tow truck", any emergency commercial vehicle  
351 equipped, designed and used to assist or render aid and transport or tow disabled  
352 or wrecked vehicles from a highway, road, street or highway rights-of-way to a  
353 point of storage or repair, including towing a replacement vehicle to replace a  
354 disabled or wrecked vehicle;

355 [(69)] **(72)** "Wrecker or towing service", the act of transporting, towing  
356 or recovering with a wrecker, tow truck, rollback or car carrier any vehicle not  
357 owned by the operator of the wrecker, tow truck, rollback or car carrier for which  
358 the operator directly or indirectly receives compensation or other personal gain.

301.031. Notwithstanding the twenty-five mile operations limit imposed  
2 in [subdivision (24) of] section 301.010 upon local commercial motor vehicles, a  
3 local commercial motor vehicle licensed for forty-eight thousand pounds gross  
4 weight and above may be used to haul solid waste as defined in section 260.200  
5 up to sixty miles from the municipality in which its operations are otherwise  
6 confined and still be eligible to register as a local commercial motor vehicle.

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

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

12 **material for any retail market including, but not limited to, sawdust,**  
13 **wood chips, bark, slabs, and green square edged lumber products.**

301.227. 1. Whenever a vehicle is sold for salvage, dismantling or  
2 rebuilding, the purchaser shall forward to the director of revenue within ten days  
3 the certificate of ownership or salvage certificate of title and the proper  
4 application and fee of eight dollars and fifty cents, and the director shall issue a  
5 negotiable salvage certificate of title to the purchaser of the salvaged vehicle. On  
6 vehicles purchased during a year that is no more than six years after the  
7 manufacturer's model year designation for such vehicle, it shall be mandatory  
8 that the purchaser apply for a salvage title. On vehicles purchased during a year  
9 that is more than six years after the manufacturer's model year designation for  
10 such vehicle, then application for a salvage title shall be optional on the part of  
11 the purchaser. Whenever a vehicle is sold for destruction and a salvage  
12 certificate of title, junking certificate, or certificate of ownership exists, the seller,  
13 if licensed under sections 301.217 to 301.221, shall forward the certificate to the  
14 director of revenue within ten days, with the notation of the date sold for  
15 destruction and the name of the purchaser clearly shown on the face of the  
16 certificate.

2. Whenever a vehicle is classified as "junk", as defined in section 301.010,  
17 the purchaser may forward to the director of revenue a properly completed  
18 application for a junking certificate as well as the salvage certificate of title or  
19 certificate of ownership and the director shall issue a negotiable junking  
20 certificate to the purchaser of the vehicle. The director may also issue a junking  
21 certificate to a possessor of a vehicle manufactured twenty-six years or more prior  
22 to the current model year who has a bill of sale for said vehicle but does not  
23 possess a certificate of ownership, provided no claim of theft has been made on  
24 the vehicle and the highway patrol has by letter stated the vehicle is not listed  
25 as stolen after checking the registration number through its nationwide computer  
26 system. Such junking certificate may be granted within thirty days of the  
27 submission of a request. A junking certificate shall authorize the holder to  
28 possess, transport, or, by assignment, transfer ownership in such parts, scrap, or  
29 junk.  
30

3. For any vehicle issued a junking certificate or such similar document  
31 or classification pursuant to the laws of another state, regardless of whether such  
32 designation has been subsequently changed by law in any other state, the  
33 department shall only issue a junking certificate, and a salvage certificate of title  
34 or original certificate of ownership shall not thereafter be issued for such  
35

36 vehicle. Notwithstanding the provisions of this subsection, if the vehicle has not  
37 previously been classified as a junk vehicle, the applicant making the original  
38 junking certification application shall, within ninety days, be allowed to rescind  
39 his application for a junking certificate by surrendering the junking certificate  
40 and apply for a salvage certificate of title in his name. The seller of a vehicle for  
41 which a junking certificate has been applied for or issued shall disclose such fact  
42 in writing to any prospective buyers before sale of such vehicle; otherwise the sale  
43 shall be voidable at the option of the buyer.

44 4. No scrap metal operator shall acquire or purchase a motor vehicle or  
45 parts thereof without, at the time of such acquisition, receiving the original  
46 certificate of ownership or salvage certificate of title or junking certificate from  
47 the seller of the vehicle or parts, unless the seller is a licensee under sections  
48 301.219 to 301.221.

49 5. All titles and certificates required to be received by scrap metal  
50 operators from nonlicensees shall be forwarded by the operator to the director of  
51 revenue within ten days of the receipt of the vehicle or parts.

52 6. The scrap metal operator shall keep a record, for three years, of the  
53 seller's name and address, the salvage business license number of the licensee,  
54 date of purchase, and any vehicle or parts identification numbers open for  
55 inspection as provided in section 301.225.

56 7. Notwithstanding any other provision of this section, a motor vehicle  
57 dealer as defined in section 301.550 and licensed under the provisions of sections  
58 301.550 to 301.572 may negotiate one reassignment of a salvage certificate of title  
59 on the back thereof.

60 8. Notwithstanding the provisions of subsection 1 of this section, an  
61 insurance company which settles a claim for a stolen vehicle may apply for and  
62 shall be issued a negotiable salvage certificate of title without the payment of any  
63 fee upon proper application within thirty days after settlement of the claim for  
64 such stolen vehicle. However, if the insurance company upon recovery of a stolen  
65 vehicle determines that the stolen vehicle has not sustained damage to the extent  
66 that the vehicle would have otherwise been declared a salvage vehicle pursuant  
67 to [subdivision (51) of] section 301.010, then the insurance company may have the  
68 vehicle inspected by the Missouri state highway patrol, or other law enforcement  
69 agency authorized by the director of revenue, in accordance with the inspection  
70 provisions of subsection 9 of section 301.190. Upon receipt of title application,  
71 applicable fee, the completed inspection, and the return of any previously issued  
72 negotiable salvage certificate, the director shall issue an original title with no

73 salvage or prior salvage designation. Upon the issuance of an original title the  
74 director shall remove any indication of the negotiable salvage title previously  
75 issued to the insurance company from the department's electronic records.

76           9. Notwithstanding subsection 4 of this section or any other provision of  
77 the law to the contrary, if a motor vehicle is inoperable and is at least ten model  
78 years old, or the parts are from a motor vehicle that is inoperable and is at least  
79 ten model years old, a scrap metal operator may purchase or acquire such motor  
80 vehicle or parts without receiving the original certificate of ownership, salvage  
81 certificate of title, or junking certificate from the seller of the vehicle or parts,  
82 provided the scrap metal operator verifies with the department of revenue, via  
83 the department's online record access, that the motor vehicle is not subject to any  
84 recorded security interest or lien and the scrap metal operator complies with the  
85 requirements of this subsection. In lieu of forwarding certificates of title or  
86 ownership for such motor vehicles as required by subsection 5 of this section, the  
87 scrap metal operator shall forward a copy of the seller's state identification **card**  
88 along with a bill of sale to the department of revenue. The bill of sale form shall  
89 be designed by the director and such form shall include, but not be limited to, a  
90 certification that the motor vehicle is at least ten model years old, is inoperable,  
91 is not subject to any recorded security interest or lien, and a certification by the  
92 seller that the seller has the legal authority to sell or otherwise transfer the  
93 seller's interest in the motor vehicle or parts. Upon receipt of the information  
94 required by this subsection, the department of revenue shall cancel any certificate  
95 of title or ownership and registration for the motor vehicle. If the motor vehicle  
96 is inoperable and at least twenty model years old, then the scrap metal operator  
97 shall not be required to verify with the department of revenue whether the motor  
98 vehicle is subject to any recorded security interests or liens. As used in this  
99 subsection, the term "inoperable" means a motor vehicle that is in a rusted,  
100 wrecked, discarded, worn out, extensively damaged, dismantled, and mechanically  
101 inoperative condition and the vehicle's highest and best use is for scrap  
102 purposes. The director of the department of revenue is directed to promulgate  
103 rules and regulations to implement and administer the provisions of this section,  
104 including but not limited to, the development of a uniform bill of sale. Any rule  
105 or portion of a rule, as that term is defined in section 536.010, that is created  
106 under the authority delegated in this section shall become effective only if it  
107 complies with and is subject to all of the provisions of chapter 536 and, if  
108 applicable, section 536.028. This section and chapter 536 are nonseverable and  
109 if any of the powers vested with the general assembly pursuant to chapter 536 to

110 review, to delay the effective date, or to disapprove and annul a rule are  
111 subsequently held unconstitutional, then the grant of rulemaking authority and  
112 any rule proposed or adopted after August 28, 2012, shall be invalid and void.

301.550. 1. The definitions contained in section 301.010 shall apply to  
2 sections 301.550 to 301.573, and in addition as used in sections 301.550 to  
3 301.573, the following terms mean:

4 (1) "Boat dealer", any natural person, partnership, or corporation who, for  
5 a commission or with an intent to make a profit or gain of money or other thing  
6 of value, sells, barter, exchanges, leases or rents with the option to purchase,  
7 offers, attempts to sell, or negotiates the sale of any vessel or vessel trailer,  
8 whether or not the vessel or vessel trailer is owned by such person. The sale of  
9 six or more vessels or vessel trailers or both in any calendar year shall be  
10 required as evidence that such person is eligible for licensure as a boat dealer  
11 under sections 301.550 to 301.573. The boat dealer shall demonstrate eligibility  
12 for renewal of his license by selling six or more vessels or vessel trailers or both  
13 in the prior calendar year while licensed as a boat dealer pursuant to sections  
14 301.550 to 301.573;

15 (2) "Boat manufacturer", any person engaged in the manufacturing,  
16 assembling or modification of new vessels or vessel trailers as a regular business,  
17 including a person, partnership or corporation which acts for and is under the  
18 control of a manufacturer or assembly in connection with the distribution of  
19 vessels or vessel trailers;

20 (3) "Department", the Missouri department of revenue;

21 (4) "Director", the director of the Missouri department of revenue;

22 (5) "Emergency vehicles", motor vehicles used as ambulances, law  
23 enforcement vehicles, and fire fighting and assistance vehicles;

24 (6) "Manufacturer", any person engaged in the manufacturing, assembling  
25 or modification of new motor vehicles or trailers as a regular business, including  
26 a person, partnership or corporation which acts for and is under the control of a  
27 manufacturer or assembly in connection with the distribution of motor vehicles  
28 or accessories for motor vehicles;

29 (7) "Motor vehicle broker", a person who holds himself out through  
30 solicitation, advertisement, or otherwise as one who offers to arrange a  
31 transaction involving the retail sale of a motor vehicle, and who is not:

32 (a) A dealer, or any agent, or any employee of a dealer when acting on  
33 behalf of a dealer;

34 (b) A manufacturer, or any agent, or employee of a manufacturer when

35 acting on behalf of a manufacturer;

36 (c) The owner of the vehicle involved in the transaction; or

37 (d) A public motor vehicle auction or wholesale motor vehicle auction  
38 where buyers are licensed dealers in this or any other jurisdiction;

39 (8) "Motor vehicle dealer" or "dealer", any person who, for commission or  
40 with an intent to make a profit or gain of money or other thing of value, sells,  
41 barter, exchanges, leases or rents with the option to purchase, or who offers or  
42 attempts to sell or negotiates the sale of motor vehicles or trailers whether or not  
43 the motor vehicles or trailers are owned by such person; provided, however, an  
44 individual auctioneer or auction conducted by an auctioneer licensed pursuant to  
45 chapter 343 shall not be included within the definition of a motor vehicle  
46 dealer. The sale of six or more motor vehicles or trailers in any calendar year  
47 shall be required as evidence that such person is engaged in the motor vehicle  
48 business and is eligible for licensure as a motor vehicle dealer under sections  
49 301.550 to 301.573. Any motor vehicle dealer licensed before August 28, 2007,  
50 shall be required to meet the minimum calendar year sales of six or more motor  
51 vehicles provided the dealer can prove the business achieved, cumulatively, six  
52 or more sales per year for the preceding twenty-four months in business; or if the  
53 dealer has not been in business for twenty-four months, the cumulative  
54 equivalent of one sale every two months for the months the dealer has been in  
55 business before August 28, 2007. Any licensed motor vehicle dealer failing to  
56 meet the minimum vehicle sales requirements as referenced in this subsection  
57 shall not be qualified to renew his or her license for one year. Applicants who  
58 reapply after the one-year period shall meet the requirement of six sales per year;

59 (9) "New motor vehicle", any motor vehicle being transferred for the first  
60 time from a manufacturer, distributor or new vehicle dealer which has not been  
61 registered or titled in this state or any other state and which is offered for sale,  
62 barter or exchange by a dealer who is franchised to sell, barter or exchange that  
63 particular make of motor vehicle. The term "new motor vehicle" shall not include  
64 manufactured homes, as defined in section 700.010;

65 (10) "New motor vehicle franchise dealer", any motor vehicle dealer who  
66 has been franchised to deal in a certain make of motor vehicle by the  
67 manufacturer or distributor of that make and motor vehicle and who may, in line  
68 with conducting his business as a franchise dealer, sell, barter or exchange used  
69 motor vehicles;

70 (11) "Person" includes an individual, a partnership, corporation, an  
71 unincorporated society or association, joint venture or any other entity;

72 (12) "Powersport dealer", any motor vehicle dealer who sells, either  
73 pursuant to a franchise agreement or otherwise, primarily motor vehicles  
74 including but not limited to motorcycles, all-terrain vehicles, and personal  
75 watercraft, as those terms are defined in this chapter and chapter 306;

76 (13) "Public motor vehicle auction", any person, firm or corporation who  
77 takes possession of a motor vehicle whether by consignment, bailment or any  
78 other arrangement, except by title, for the purpose of selling motor vehicles at a  
79 public auction by a licensed auctioneer;

80 (14) "Recreational motor vehicle dealer", a dealer of new or used motor  
81 vehicles designed, constructed or substantially modified for use as temporary  
82 housing quarters, including sleeping and eating facilities which are either  
83 permanently attached to the motor vehicle or attached to a unit which is securely  
84 attached to the motor vehicle;

85 (15) "Storage lot", an area within the same city or county where a dealer  
86 may store excess vehicle inventory;

87 (16) "Trailer dealer", any person selling, either exclusively or otherwise,  
88 trailers as defined in [subdivision (60) of] section 301.010. A trailer dealer may  
89 acquire a motor vehicle for resale only as a trade-in for a  
90 trailer. Notwithstanding the provisions of [subdivision (11) of] section 301.010  
91 and section 301.069, trailer dealers may purchase one driveaway license plate to  
92 display such motor vehicle for demonstration purposes. The sale of six or more  
93 trailers in any calendar year shall be required as evidence that such person is  
94 engaged in the trailer business and is eligible for licensure as a trailer dealer  
95 under sections 301.550 to 301.573. Any trailer dealer licensed before August 28,  
96 2007, shall be required to meet the minimum calendar year sales of six or more  
97 trailers provided the dealer can prove the business achieved, cumulatively, six or  
98 more sales per year for the preceding twenty-four months in business; or if the  
99 dealer has not been in business for twenty-four months, the cumulative  
100 equivalent of one sale every two months for the months the dealer has been in  
101 business before August 28, 2007. Any licensed trailer dealer failing to meet the  
102 minimum trailer and vehicle sales requirements as referenced in this subsection  
103 shall not be qualified to renew his or her license for one year. Applicants who  
104 reapply after the one-year period shall meet the requirement of six sales per year;

105 (17) "Used motor vehicle", any motor vehicle which is not a new motor  
106 vehicle, as defined in sections 301.550 to 301.573, and which has been sold,  
107 bartered, exchanged or given away or which may have had a title issued in this  
108 state or any other state, or a motor vehicle so used as to be what is commonly

109 known as a secondhand motor vehicle. In the event of an assignment of the  
110 statement of origin from an original franchise dealer to any individual or other  
111 motor vehicle dealer other than a new motor vehicle franchise dealer of the same  
112 make, the vehicle so assigned shall be deemed to be a used motor vehicle and a  
113 certificate of ownership shall be obtained in the assignee's name. The term "used  
114 motor vehicle" shall not include manufactured homes, as defined in section  
115 700.010;

116 (18) "Used motor vehicle dealer", any motor vehicle dealer who is not a  
117 new motor vehicle franchise dealer;

118 (19) "Vessel", every boat and watercraft defined as a vessel in section  
119 306.010;

120 (20) "Vessel trailer", any trailer, as defined by section 301.010 which is  
121 designed and manufactured for the purposes of transporting vessels;

122 (21) "Wholesale motor vehicle auction", any person, firm or corporation in  
123 the business of providing auction services solely in wholesale transactions at its  
124 established place of business in which the purchasers are motor vehicle dealers  
125 licensed by this or any other jurisdiction, and which neither buys, sells nor owns  
126 the motor vehicles it auctions in the ordinary course of its business. Except as  
127 required by law with regard to the auction sale of a government-owned motor  
128 vehicle, a wholesale motor vehicle auction shall not provide auction services in  
129 connection with the retail sale of a motor vehicle;

130 (22) "Wholesale motor vehicle dealer", a motor vehicle dealer who sells  
131 motor vehicles only to other new motor vehicle franchise dealers or used motor  
132 vehicle dealers or via auctions limited to other dealers of any class.

133 2. For purposes of sections 301.550 to 301.573, neither the term motor  
134 vehicle nor the term trailer shall include manufactured homes, as defined in  
135 section 700.010.

136 3. Dealers shall be divided into classes as follows:

137 (1) Boat dealers;

138 (2) Franchised new motor vehicle dealers;

139 (3) Used motor vehicle dealers;

140 (4) Wholesale motor vehicle dealers;

141 (5) Recreational motor vehicle dealers;

142 (6) Historic motor vehicle dealers;

143 (7) Classic motor vehicle dealers;

144 (8) Powersport dealers; and

145 (9) Trailer dealers.

304.005. 1. As used in this section, the term "autocycle" means a three-  
2 wheeled motor vehicle [on] which the drivers and passengers ride in a **partially**  
3 **or** completely enclosed[, tandem] **non-straddle** seating area [that is equipped  
4 with air bag protection, a roll cage, safety belts for each occupant, and antilock  
5 brakes and], that is designed to be controlled with a steering wheel and pedals,  
6 **and that has met applicable Department of Transportation National**  
7 **Highway Traffic Safety Administration requirements or Federal**  
8 **Motorcycle Safety Standards.**

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

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

304.022. 1. Upon the immediate approach of an emergency vehicle giving  
2 audible signal by siren or while having at least one lighted lamp exhibiting red  
3 light visible under normal atmospheric conditions from a distance of five hundred  
4 feet to the front of such vehicle or a flashing blue light authorized by section  
5 307.175, the driver of every other vehicle shall yield the right-of-way and shall  
6 immediately drive to a position parallel to, and as far as possible to the right of,  
7 the traveled portion of the highway and thereupon stop and remain in such  
8 position until such emergency vehicle has passed, except when otherwise directed  
9 by a police or traffic officer.

10 2. Upon approaching a stationary [emergency] vehicle displaying lighted  
11 red or red and blue lights, or a stationary vehicle [owned by the state highways  
12 and transportation commission and operated by an authorized employee of the  
13 department of transportation or a stationary vehicle owned by a contractor or  
14 subcontractor performing work for the department of transportation] displaying  
15 lighted amber or amber and white lights, the driver of every motor vehicle shall:

16 (1) Proceed with caution and yield the right-of-way, if possible with due  
17 regard to safety and traffic conditions, by making a lane change into a lane not  
18 adjacent to that of the stationary vehicle, if on a roadway having at least four  
19 lanes with not less than two lanes proceeding in the same direction as the  
20 approaching vehicle; or

21 (2) Proceed with due caution and reduce the speed of the vehicle,

22 maintaining a safe speed for road conditions, if changing lanes would be unsafe  
23 or impossible.

24         3. The motorman of every streetcar shall immediately stop such car clear  
25 of any intersection and keep it in such position until the emergency vehicle has  
26 passed, except as otherwise directed by a police or traffic officer.

27         4. An “emergency vehicle” is a vehicle of any of the following types:

28             (1) A vehicle operated by the state highway patrol, the state water patrol,  
29 the Missouri capitol police, a conservation agent, or a state park ranger, those  
30 vehicles operated by enforcement personnel of the state highways and  
31 transportation commission, police or fire department, sheriff, constable or deputy  
32 sheriff, federal law enforcement officer authorized to carry firearms and to make  
33 arrests for violations of the laws of the United States, traffic officer or coroner or  
34 by a privately owned emergency vehicle company;

35             (2) A vehicle operated as an ambulance or operated commercially for the  
36 purpose of transporting emergency medical supplies or organs;

37             (3) Any vehicle qualifying as an emergency vehicle pursuant to section  
38 307.175;

39             (4) Any wrecker, or tow truck or a vehicle owned and operated by a public  
40 utility or public service corporation while performing emergency service;

41             (5) Any vehicle transporting equipment designed to extricate human  
42 beings from the wreckage of a motor vehicle;

43             (6) Any vehicle designated to perform emergency functions for a civil  
44 defense or emergency management agency established pursuant to the provisions  
45 of chapter 44;

46             (7) Any vehicle operated by an authorized employee of the department of  
47 corrections who, as part of the employee's official duties, is responding to a riot,  
48 disturbance, hostage incident, escape or other critical situation where there is the  
49 threat of serious physical injury or death, responding to mutual aid call from  
50 another criminal justice agency, or in accompanying an ambulance which is  
51 transporting an offender to a medical facility;

52             (8) Any vehicle designated to perform hazardous substance emergency  
53 functions established pursuant to the provisions of sections 260.500 to 260.550;  
54 or

55             (9) Any vehicle owned by the state highways and transportation  
56 commission and operated by an authorized employee of the department of  
57 transportation that is marked as a department of transportation emergency  
58 response or motorist assistance vehicle.

59           5. (1) The driver of any vehicle referred to in subsection 4 of this section  
60 shall not sound the siren thereon or have the front red lights or blue lights on  
61 except when such vehicle is responding to an emergency call or when in pursuit  
62 of an actual or suspected law violator, or when responding to, but not upon  
63 returning from, a fire.

64           (2) The driver of an emergency vehicle may:

65           (a) Park or stand irrespective of the provisions of sections 304.014 to  
66 304.025;

67           (b) Proceed past a red or stop signal or stop sign, but only after slowing  
68 down as may be necessary for safe operation;

69           (c) Exceed the prima facie speed limit so long as the driver does not  
70 endanger life or property;

71           (d) Disregard regulations governing direction of movement or turning in  
72 specified directions.

73           (3) The exemptions granted to an emergency vehicle pursuant to  
74 subdivision (2) of this subsection shall apply only when the driver of any such  
75 vehicle while in motion sounds audible signal by bell, siren, or exhaust whistle  
76 as may be reasonably necessary, and when the vehicle is equipped with at least  
77 one lighted lamp displaying a red light or blue light visible under normal  
78 atmospheric conditions from a distance of five hundred feet to the front of such  
79 vehicle.

80           6. No person shall purchase an emergency light as described in this  
81 section without furnishing the seller of such light an affidavit stating that the  
82 light will be used exclusively for emergency vehicle purposes.

83           7. Violation of this section shall be deemed a class A misdemeanor.

304.120. 1. Municipalities, by ordinance, may establish reasonable speed  
2 regulations for motor vehicles within the limits of such municipalities. No person  
3 who is not a resident of such municipality and who has not been within the limits  
4 thereof for a continuous period of more than forty-eight hours shall be convicted  
5 of a violation of such ordinances, unless it is shown by competent evidence that  
6 there was posted at the place where the boundary of such municipality joins or  
7 crosses any highway a sign displaying in black letters not less than four inches  
8 high and one inch wide on a white background the speed fixed by such  
9 municipality so that such sign may be clearly seen by operators and drivers from  
10 their vehicles upon entering such municipality.

11           2. Municipalities, by ordinance, may:

12           (1) Make additional rules of the road or traffic regulations to meet their

13 needs and traffic conditions;

14 (2) Establish one-way streets and provide for the regulation of vehicles  
15 thereon;

16 (3) Require vehicles to stop before crossing certain designated streets and  
17 boulevards;

18 (4) Limit the use of certain designated streets and boulevards to  
19 passenger vehicles, except that each municipality shall allow at least one route,  
20 with lawful traffic movement and access from both directions, to be available for  
21 use by commercial motor vehicles to access any roads in the state highway  
22 system. Under no circumstances shall the provisions of this subdivision be  
23 construed to authorize a municipality to limit the use of all routes in the  
24 municipality. **The use by commercial motor vehicles of a municipality-**  
25 **designated route for such vehicles in compliance with any ordinances**  
26 **of the designating municipality shall not be deemed a nuisance or**  
27 **evidence of a nuisance. Nothing contained in this subdivision is**  
28 **intended to modify or limit recovery for any claim that is independent**  
29 **of a nuisance claim;**

30 (5) Prohibit the use of certain designated streets to vehicles with metal  
31 tires, or solid rubber tires;

32 (6) Regulate the parking of vehicles on streets by the installation of  
33 parking meters for limiting the time of parking and exacting a fee therefor or by  
34 the adoption of any other regulatory method that is reasonable and practical, and  
35 prohibit or control left-hand turns of vehicles;

36 (7) Require the use of signaling devices on all motor vehicles; and

37 (8) Prohibit sound-producing warning devices, except horns directed  
38 forward.

39 3. No ordinance shall be valid which contains provisions contrary to or in  
40 conflict with this chapter, except as herein provided.

41 4. No ordinance shall impose liability on the owner-lessor of a motor  
42 vehicle when the vehicle is being permissively used by a lessee and is illegally  
43 parked or operated if the registered owner-lessor of such vehicle furnishes the  
44 name, address and operator's license number of the person renting or leasing the  
45 vehicle at the time the violation occurred to the proper municipal authority  
46 within three working days from the time of receipt of written request for such  
47 information. Any registered owner-lessor who fails or refuses to provide such  
48 information within the period required by this subsection shall be liable for the  
49 imposition of any fine established by municipal ordinance for the

50 violation. Provided, however, if a leased motor vehicle is illegally parked due to  
51 a defect in such vehicle, which renders it inoperable, not caused by the fault or  
52 neglect of the lessee, then the lessor shall be liable on any violation for illegal  
53 parking of such vehicle.

54         5. No ordinance shall deny the use of commercial motor vehicles on all  
55 routes within the municipality. For purposes of this section, the term "route"  
56 shall mean any state road, county road, or public street, avenue, boulevard, or  
57 parkway.

58         6. No ordinance shall prohibit the operator of a motor vehicle from being  
59 in an intersection while a red signal is being displayed if the operator of the  
60 motor vehicle entered the intersection during a yellow signal interval. The  
61 provisions of this subsection shall supercede any local laws, ordinances, orders,  
62 rules, or regulations enacted by a county, municipality, or other political  
63 subdivision that are to the contrary.

304.170. 1. No vehicle operated upon the highways of this state shall  
2 have a width, including load, in excess of one hundred two inches, except  
3 clearance lights, rearview mirrors or other accessories required by federal, state  
4 or city law or regulation. Provided however, a recreational vehicle as defined in  
5 section 700.010 may exceed the foregoing width limits if the appurtenances on  
6 such recreational vehicle extend no further than the rearview mirrors. Such  
7 mirrors may only extend the distance necessary to provide the required field of  
8 view before the appurtenances were attached.

9         2. No vehicle operated upon the interstate highway system or upon any  
10 route designated by the [chief engineer of the state transportation department]  
11 **state highways and transportation commission** shall have a height,  
12 including load, in excess of fourteen feet. On all other highways, no vehicle shall  
13 have a height, including load, in excess of thirteen and one-half feet, except that  
14 any vehicle or combination of vehicles transporting automobiles or other motor  
15 vehicles may have a height, including load, of not more than fourteen feet.

16         3. No single motor vehicle operated upon the highways of this state shall  
17 have a length, including load, in excess of forty-five feet, except as otherwise  
18 provided in this section.

19         4. No bus, recreational motor vehicle or trackless trolley coach operated  
20 upon the highways of this state shall have a length in excess of forty-five feet,  
21 except that such vehicles may exceed the forty-five feet length when such excess  
22 length is caused by the projection of a front safety bumper or a rear safety  
23 bumper or both. Such safety bumper shall not cause the length of the bus or

24 recreational motor vehicle to exceed the forty-five feet length limit by more than  
25 one foot in the front and one foot in the rear. **Notwithstanding any provision**  
26 **of this section to the contrary, an articulated bus, comprised of two or**  
27 **more sections connected by a flexible joint or other mechanism, may be**  
28 **up to sixty feet in length, not including safety bumpers which may**  
29 **extend one foot in front and one foot in the rear, and not including**  
30 **bicycle storage racks which may extend over the safety bumper by up**  
31 **to five feet when in the down position transporting a bicycle.** The term  
32 "safety bumper" means any device which may be fitted on an existing bumper or  
33 which replaces the bumper and is so constructed, treated, or manufactured that  
34 it absorbs energy upon impact.

35 5. No combination of truck-tractor and semitrailer or truck-tractor  
36 equipped with dromedary and semitrailer operated upon the highways of this  
37 state shall have a length, including load, in excess of sixty feet; except that in  
38 order to comply with the provisions of **P.L. 97-424 codified in** Title 23 of the  
39 United States Code [(Public Law 97-424)], **23 U.S.C. Section 101, et al., as**  
40 **amended**, no combination of truck-tractor and semitrailer or truck-tractor  
41 equipped with dromedary and semitrailer operated upon the interstate highway  
42 system of this state shall have an overall length, including load, in excess of the  
43 length of the truck-tractor plus the semitrailer or truck-tractor equipped with  
44 dromedary and semitrailer. The length of such semitrailer shall not exceed  
45 fifty-three feet.

46 6. In order to comply with the provisions of **P.L. 97-424 codified in** Title  
47 23 of the United States Code [(Public Law 97-424)], **23 U.S.C. Section 101, et**  
48 **al., as amended**, no combination of truck-tractor, semitrailer and trailer  
49 operated upon the interstate highway system of this state shall have an overall  
50 length, including load, in excess of the length of the truck-tractor plus the  
51 semitrailer and trailer, neither of which semitrailer or trailer shall exceed  
52 twenty-eight feet in length, except that any existing semitrailer or trailer up to  
53 twenty-eight and one-half feet in length actually and lawfully operated on  
54 December 1, 1982, within a sixty-five foot overall length limit in any state, may  
55 continue to be operated upon the interstate highways of this state. On those  
56 primary highways not designated by the state highways and transportation  
57 commission as provided in subsection [10] **11** of this section, no combination of  
58 truck-tractor, semitrailer and trailer shall have an overall length, including load,  
59 in excess of sixty-five feet; provided, however, the [state highways and  
60 transportation] commission may designate additional routes for such sixty-five

61 foot combinations.

62           7. Automobile transporters, boat transporters, truck-trailer boat  
63 transporter combinations, [stinger-steered combination automobile transporters]  
64 and stinger-steered combination boat transporters having a length not in excess  
65 of seventy-five feet may be operated on the interstate highways of this state and  
66 such other highways as may be designated by the [highways and transportation]  
67 commission for the operation of such vehicles plus a distance not to exceed ten  
68 miles from such interstate or designated highway. All length provisions  
69 regarding automobile or boat transporters, truck-trailer boat transporter  
70 combinations and stinger-steered [combinations] **combination boat**  
71 **transporters** shall include a semitrailer length not to exceed fifty-three feet and  
72 are exclusive of front and rear overhang, which shall be no greater than a  
73 three-foot front overhang and no greater than a four-foot rear overhang.

74           **(1) Stinger-steered combination automobile transporters having**  
75 **a length not in excess of eighty feet may be operated on the interstate**  
76 **highways of this state and such other highways as may be designated**  
77 **by the commission for the operation of such vehicles plus a distance**  
78 **not to exceed ten miles from such interstate or designated highway. All**  
79 **length provisions regarding stinger-steered automobile combination**  
80 **transporters are exclusive of front and rear overhang, which shall be**  
81 **no greater than a four-foot front overhang and no greater than a six-**  
82 **foot rear overhang.**

83           **(2) Automobile transporters may transport cargo or general**  
84 **freight on a backhaul, as long as in compliance with weight limitations**  
85 **for a truck-tractor and semitrailer combination as outlined in section**  
86 **304.180.**

87           8. Driveaway saddlemount combinations having a length not in excess of  
88 ninety-seven feet may be operated on the interstate highways of this state and  
89 such other highways as may be designated by the [highways and transportation]  
90 commission for the operation of such vehicles plus a distance not to exceed ten  
91 miles from such interstate or designated highway. Saddlemount combinations  
92 must comply with the safety requirements of Section 393.71 of Title 49 of the  
93 Code of Federal Regulations and may contain no more than three saddlemounted  
94 vehicles and one fullmount.

95           9. No truck-tractor semitrailer-semitrailer combination vehicles operated  
96 upon the interstate and designated primary highway system of this state shall  
97 have a semitrailer length in excess of twenty-eight feet or twenty-eight and

98 one-half feet if the semitrailer was in actual and lawful operation in any state on  
99 December 1, 1982, operating in a truck-tractor semitrailer-semitrailer  
100 combination. The B-train assembly is excluded from the measurement of  
101 semitrailer length when used between the first and second semitrailer of a  
102 truck-tractor semitrailer-semitrailer combination, except that when there is no  
103 semitrailer mounted to the B-train assembly, it shall be included in the length  
104 measurement of the semitrailer.

105 **10. No towaway trailer transporter combination vehicles**  
106 **operated upon the interstate and designated primary highway system**  
107 **of this state shall have an overall length of more than eighty-two feet.**

108 **11.** The [highways and transportation] commission is authorized to  
109 designate routes on the state highway system other than the interstate system  
110 over which those combinations of vehicles of the lengths specified in subsections  
111 5, 6, 7, 8, [and] 9, **and 10** of this section may be operated. Combinations of  
112 vehicles operated under the provisions of subsections 5, 6, 7, 8, [and] 9, **and 10**  
113 of this section may be operated at a distance not to exceed ten miles from the  
114 interstate system and such routes as designated under the provisions of this  
115 subsection.

116 **[11.] 12.** Except as provided in subsections 5, 6, 7, 8, 9, [and] 10, **and 11**  
117 of this section, no other combination of vehicles operated upon the primary or  
118 interstate highways of this state plus a distance of ten miles from a primary or  
119 interstate highway shall have an overall length, unladen or with load, in excess  
120 of sixty-five feet or in excess of fifty-five feet on any other highway[, except the  
121 state highways and transportation commission may designate additional routes  
122 for use by sixty-five foot combinations, seventy-five foot stinger-steered or  
123 seventy-five foot saddlemount combinations. Any vehicle or combination of  
124 vehicles transporting automobiles, boats or other motor vehicles may carry a load  
125 which extends no more than three feet beyond the front and four feet beyond the  
126 rear of the transporting vehicle or combination of vehicles].

127 **[12.] 13.** (1) Except as hereinafter provided, these restrictions shall not  
128 apply to agricultural implements operating occasionally on the highways for short  
129 distances including tractor parades for fund-raising activities or special events,  
130 provided the tractors are driven by licensed drivers during daylight hours only  
131 and with the approval of the superintendent of the Missouri state highway patrol;  
132 or to self-propelled hay-hauling equipment or to implements of husbandry, or to  
133 the movement of farm products as defined in section 400.9-102 or to vehicles  
134 temporarily transporting agricultural implements or implements of husbandry or

135 road-making machinery, or road materials or towing for repair purposes vehicles  
136 that have become disabled upon the highways; or to implement dealers delivering  
137 or moving farm machinery for repairs on any state highway other than the  
138 interstate system.

139 (2) Implements of husbandry and vehicles transporting such machinery  
140 or equipment and the movement of farm products as defined in section 400.9-102  
141 may be operated occasionally for short distances on state highways when operated  
142 between the hours of sunrise and sunset by a driver licensed as an operator or  
143 chauffeur.

144 **(3) Notwithstanding any other provision of law to the contrary,**  
145 **agricultural machinery and implements may be operated on state**  
146 **highways between the hours of sunset and sunrise for agricultural**  
147 **purposes provided such vehicles are equipped with lighting meeting**  
148 **the requirements of section 307.115.**

149 [13.] 14. As used in this chapter the term "implements of husbandry"  
150 means all self-propelled machinery operated at speeds of less than thirty miles  
151 per hour, specifically designed for, or especially adapted to be capable of,  
152 incidental over-the-road and primary offroad usage and used exclusively for the  
153 application of commercial plant food materials or agricultural chemicals, and not  
154 specifically designed or intended for transportation of such chemicals and  
155 materials.

156 [14.] 15. Sludge disposal units may be operated on all state highways  
157 other than the interstate system. Such units shall not exceed one hundred  
158 thirty-eight inches in width and may be equipped with over-width tires. Such  
159 units shall observe all axle weight limits. The [chief engineer of the state  
160 transportation department] **commission** shall issue special permits for the  
161 movement of such disposal units and may by such permits restrict the movements  
162 to specified routes, days and hours.

304.180. 1. No vehicle or combination of vehicles shall be moved or  
2 operated on any highway in this state having a greater weight than twenty  
3 thousand pounds on one axle, no combination of vehicles operated by transporters  
4 of general freight over regular routes as defined in section 390.020 shall be moved  
5 or operated on any highway of this state having a greater weight than the vehicle  
6 manufacturer's rating on a steering axle with the maximum weight not to exceed  
7 twelve thousand pounds on a steering axle, and no vehicle shall be moved or  
8 operated on any state highway of this state having a greater weight than  
9 thirty-four thousand pounds on any tandem axle; the term "tandem axle" shall

10 mean a group of two or more axles, arranged one behind another, the distance  
 11 between the extremes of which is more than forty inches and not more than  
 12 ninety-six inches apart.

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

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

Distance in feet between the 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	
21	40,000	51,500	56,000	61,000	66,500	
22	40,000	52,500	56,500	61,500	67,000	
23	40,000	53,000	57,500	62,500	68,000	
24	40,000	54,000	58,000	63,000	68,500	
25	40,000	54,500	58,500	63,500	69,000	

51	26	40,000	55,500	59,500	64,000	69,500
52	27	40,000	56,000	60,000	65,000	70,000
53	28	40,000	57,000	60,500	65,500	71,000
54	29	40,000	57,500	61,500	66,000	71,500
55	30	40,000	58,500	62,000	66,500	72,000
56	31	40,000	59,000	62,500	67,500	72,500
57	32	40,000	60,000	63,500	68,000	73,000
58	33	40,000	60,000	64,000	68,500	74,000
59	34	40,000	60,000	64,500	69,000	74,500
60	35	40,000	60,000	65,500	70,000	75,000
61	36		60,000	66,000	70,500	75,500
62	37		60,000	66,500	71,000	76,000
63	38		60,000	67,500	72,000	77,000
64	39		60,000	68,000	72,500	77,500
65	40		60,000	68,500	73,000	78,000
66	41		60,000	69,500	73,500	78,500
67	42		60,000	70,000	74,000	79,000
68	43		60,000	70,500	75,000	80,000
69	44		60,000	71,500	75,500	80,000
70	45		60,000	72,000	76,000	80,000
71	46		60,000	72,500	76,500	80,000
72	47		60,000	73,500	77,500	80,000
73	48		60,000	74,000	78,000	80,000
74	49		60,000	74,500	78,500	80,000
75	50		60,000	75,500	79,000	80,000
76	51		60,000	76,000	80,000	80,000
77	52		60,000	76,500	80,000	80,000
78	53		60,000	77,500	80,000	80,000
79	54		60,000	78,000	80,000	80,000
80	55		60,000	78,500	80,000	80,000
81	56		60,000	79,500	80,000	80,000
82	57		60,000	80,000	80,000	80,000

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

87 4. Whenever the state highways and transportation commission finds that  
 88 any state highway bridge in the state is in such a condition that use of such  
 89 bridge by vehicles of the weights specified in subsection 3 of this section will  
 90 endanger the bridge, or the users of the bridge, the commission may establish

91 maximum weight limits and speed limits for vehicles using such bridge. The  
92 governing body of any city or county may grant authority by act or ordinance to  
93 the [state highways and transportation] commission to enact the limitations  
94 established in this section on those roadways within the purview of such city or  
95 county. Notice of the weight limits and speed limits established by the  
96 commission shall be given by posting signs at a conspicuous place at each end of  
97 any such bridge.

98         5. Nothing in this section shall be construed as permitting lawful axle  
99 loads, tandem axle loads or gross loads in excess of those permitted under the  
100 provisions of [Section 127 of Title 23 of the United States Code] **P.L. 97-424**  
101 **codified in Title 23 of the United States Code (23 U.S.C. Section 101, et**  
102 **al.), as amended.**

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

109         7. Notwithstanding any provision of this section to the contrary, the  
110 [department of transportation] **commission** shall issue a single-use special  
111 permit, or upon request of the owner of the truck or equipment, shall issue an  
112 annual permit, for the transporting of any concrete pump truck or well-drillers'  
113 equipment. The [department of transportation] **commission** shall set fees for  
114 the issuance of permits pursuant to this subsection. Notwithstanding the  
115 provisions of section 301.133, concrete pump trucks or well-drillers' equipment  
116 may be operated on state-maintained roads and highways at any time on any day.

117         8. Notwithstanding the provision of this section to the contrary, the  
118 maximum gross vehicle limit and axle weight limit for any vehicle or combination  
119 of vehicles equipped with an idle reduction technology may be increased by a  
120 quantity necessary to compensate for the additional weight of the idle reduction  
121 system as provided for in 23 U.S.C. Section 127, as amended. In no case shall the  
122 additional weight increase allowed by this subsection be greater than five  
123 hundred fifty pounds. Upon request by an appropriate law enforcement officer,  
124 the vehicle operator shall provide proof that the idle reduction technology is fully  
125 functional at all times and that the gross weight increase is not used for any  
126 purpose other than for the use of idle reduction technology.

127         9. Notwithstanding any provision of this section or any other law to the

128 contrary, the total gross weight of any vehicle or combination of vehicles hauling  
129 milk, from a farm to a processing facility or livestock may be as much as, but  
130 shall not exceed, eighty-five thousand five hundred pounds while operating on  
131 highways other than the interstate highway system. The provisions of this  
132 subsection shall not apply to vehicles operated and operating on the Dwight D.  
133 Eisenhower System of Interstate and Defense Highways.

134         10. Notwithstanding any provision of this section or any other law to the  
135 contrary, any vehicle or combination of vehicles hauling grain or grain coproducts  
136 during times of harvest may be as much as, but not exceeding, ten percent over  
137 the maximum weight limitation allowable under subsection 3 of this section while  
138 operating on highways other than the interstate highway system. The provisions  
139 of this subsection shall not apply to vehicles operated and operating on the  
140 Dwight D. Eisenhower System of Interstate and Defense Highways.

141         11. Notwithstanding any provision of this section or any other law to the  
142 contrary, the [department of transportation] **commission** shall issue emergency  
143 utility response permits for the transporting of utility wires or cables, poles, and  
144 equipment needed for repair work immediately following a disaster where utility  
145 service has been disrupted. Under exigent circumstances, verbal approval of such  
146 operation may be made either by the **department of transportation** motor  
147 carrier compliance supervisor or other designated motor carrier services  
148 representative. Utility vehicles and equipment used to assist utility companies  
149 granted special permits under this subsection may be operated and transported  
150 on state-maintained roads and highways at any time on any day. The  
151 [department of transportation] **commission** shall promulgate all necessary rules  
152 and regulations for the administration of this section. Any rule or portion of a  
153 rule, as that term is defined in section 536.010, that is created under the  
154 authority delegated in this section shall become effective only if it complies with  
155 and is subject to all of the provisions of chapter 536 and, if applicable, section  
156 536.028. This section and chapter 536 are nonseverable and if any of the powers  
157 vested with the general assembly pursuant to chapter 536 to review, to delay the  
158 effective date, or to disapprove and annul a rule are subsequently held  
159 unconstitutional, then the grant of rulemaking authority and any rule proposed  
160 or adopted after August 28, 2014, shall be invalid and void.

161         **12. Notwithstanding any provision of this section to the contrary,**  
162 **emergency vehicles designed to be used under emergency conditions to**  
163 **transport personnel and equipment and to mitigate hazardous**  
164 **situations may have a maximum gross vehicle weight of eighty-six**

165 **thousand pounds inclusive of twenty-four thousand pounds on a single**  
166 **steering axle; thirty-three thousand five hundred pounds on a single**  
167 **drive axle; sixty-two thousand pounds on a tandem axle; or fifty-two**  
168 **thousand pounds on a tandem rear drive steer axle.**

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

**307.005. For purposes of this chapter, a lamp, light, or other**  
2 **piece of lighting equipment consisting of multiple light-emitting diodes**  
3 **shall be deemed to be operating properly so long as not less than**  
4 **seventy-five percent of the light-emitting diodes are operating properly.**

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

9 2. [Motor vehicles and equipment owned by the state highways and  
10 transportation commission or contractor or subcontractor performing work for the  
11 department of transportation may use or display thereon fixed, flashing, or  
12 rotating amber or white lights, but amber or white lights shall be used only while  
13 such vehicle is stationary in a work zone, as defined in section 304.580, when  
14 highway workers, as defined in section 304.580, are present.]  
15 **(1) Notwithstanding subsection 1 of this section, the following vehicles**  
16 **may use or display fixed, flashing, or rotating red or red and blue**  
17 **lights:**

18 **(a) Emergency vehicles, as defined in section 304.022, when**  
19 **responding to an emergency;**

20 **(b) Vehicles operated as described in subsection 1 of this section;**

21           **(c) Vehicles owned by a contractor or subcontractor performing**  
22 **work for the department of transportation, except that the red or red**  
23 **and blue lights shall be displayed on vehicles described in this**  
24 **paragraph only between dusk and dawn, when such vehicles are**  
25 **stationary, such vehicles are located in a work zone as defined in**  
26 **section 304.580, highway workers as defined in section 304.580 are**  
27 **present, and such work zone is designated by a sign or signs.**

28           **(2) The following vehicles may use or display fixed, flashing, or**  
29 **rotating amber or amber and white lights:**

30           **(a) Vehicles owned or leased by the state highways and**  
31 **transportation commission and operated by an authorized employee of**  
32 **the department of transportation;**

33           **(b) Vehicles owned by a contractor or subcontractor performing**  
34 **work for the department of transportation, except that the amber or**  
35 **amber and white lights shall be displayed on vehicles described in this**  
36 **paragraph only when such vehicles are stationary;**

37           **(c) Vehicles operated by a utility worker performing work for the**  
38 **utility, except that the amber or amber and white lights shall be**  
39 **displayed on vehicles described in this paragraph only when such**  
40 **vehicles are stationary. As used in this paragraph, the term "utility**  
41 **worker" means any employee while in performance of his or her job**  
42 **duties, including any person employed under contract of a utility that**  
43 **provides gas, heat, electricity, water, steam, telecommunications or**  
44 **cable services, or sewer services, whether privately, municipally, or**  
45 **cooperatively owned.**

46           3. Permits for the operation of such vehicles equipped with sirens or blue  
47 lights shall be in writing and shall be issued and may be revoked by the chief of  
48 an organized fire department, organized ambulance association, rescue squad, or  
49 the state highways and transportation commission and no person shall use or  
50 display a siren or blue lights on a motor vehicle, fire, ambulance, or rescue  
51 equipment without a valid permit authorizing the use. A permit to use a siren  
52 or lights as heretofore set out does not relieve the operator of the vehicle so  
53 equipped with complying with all other traffic laws and regulations. Violation of  
54 this section constitutes a class A misdemeanor.

          407.816. 1. As used in subdivision (7) of section 407.815, the term "motor  
2 vehicle" shall not include "trailer" as such term is defined in [subdivision (60) of]  
3 section 301.010.

4           2. Prior to August 1, 2002, the provisions of section 407.817, subdivisions  
5 (13), (17) and (18) of section 407.825 and section 407.826 shall not apply to  
6 recreational vehicle dealers or manufacturers.

7           3. As of August 1, 2002, the term "motor vehicle" as used in sections  
8 407.810 to 407.835 shall not apply to recreational vehicles as defined in section  
9 407.1320.

          Section B. Because of the need to protect lives on our roads and highways,  
2 the repeal and reenactment of sections 304.022 and 307.175 of this act is deemed  
3 necessary for the immediate preservation of the public health, welfare, peace and  
4 safety, and is hereby declared to be an emergency act within the meaning of the  
5 constitution, and the repeal and reenactment of sections 304.022 and 307.175 of  
6 this act shall be in full force and effect upon its passage and approval.

✓

Bill

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