

SECOND REGULAR SESSION  
[PERFECTED]  
HOUSE COMMITTEE SUBSTITUTE FOR  
**HOUSE BILL NOS. 946, 1106 & 952**  
**92ND GENERAL ASSEMBLY**

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Reported from the Committee on Transportation and Motor Vehicles, January 22, 2004, with recommendation that the House Committee Substitute for House Bill Nos. 946, 1106 & 952 Do Pass.

Taken up for Perfection February 25, 2004. House Committee Substitute for House Bill Nos. 946, 1106 & 952 ordered Perfected and printed, as amended.

STEPHEN S. DAVIS, Chief Clerk

3521L.04P

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**AN ACT**

To repeal sections 21.795, 50.515, 226.030, 226.060, 226.527, 227.120, 301.010, and 304.190, RSMo, and to enact in lieu thereof nineteen new sections relating to transportation, with an emergency clause.

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

Section A. Sections 21.795, 50.515, 226.030, 226.060, 226.527, 227.120, 301.010, and  
2 304.190, RSMo, are repealed and nineteen new sections enacted in lieu thereof, to be known as  
3 sections 21.795, 50.515, 226.030, 226.060, 226.527, 226.532, 226.611, 227.120, 227.332,  
4 227.346, 227.349, 227.350, 227.352, 233.166, 238.208, 301.010, 304.190, 1, and 2, to read as  
5 follows:

21.795. 1. There is established a permanent joint committee of the general assembly to  
2 be known as the "Joint Committee on Transportation Oversight" to be composed of seven  
3 members of the standing transportation committees of both the senate and the house of  
4 representatives and three nonvoting ex officio members. Of the fourteen members to be  
5 appointed to the joint committee, the seven senate members of the joint committee shall be  
6 appointed by the president pro tem of the senate and minority leader of the senate and the seven  
7 house members shall be appointed by the speaker of the house of representatives and the  
8 minority floor leader of the house of representatives. No major party shall be represented by

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

9 more than four members from the house of representatives nor more than four members from the  
10 senate. The ex officio members shall be the state auditor, the director of the oversight division  
11 of the committee on legislative research, and the commissioner of the office of administration  
12 or the designee of such auditor, director or commissioner. The joint committee shall be chaired  
13 jointly by both chairs of the senate and house transportation committees. A majority of the  
14 committee shall constitute a quorum, but the concurrence of a majority of the members, other  
15 than the ex officio members, shall be required for the determination of any matter within the  
16 committee's duties.

17 2. The transportation inspector general shall be appointed by majority vote of a group  
18 consisting of the speaker of the house of representatives, the minority floor leader of the house  
19 of representatives, the president pro tempore of the senate, and the minority floor leader of the  
20 senate. It shall be the duty of the inspector general to serve as the executive director of the joint  
21 committee on transportation oversight. The compensation of the inspector general and other  
22 personnel shall be paid from the joint contingent fund or jointly from the senate and house  
23 contingent funds until an appropriation is made therefor. No funds from highway user fees or  
24 other funds allocated for the operation of the department of transportation shall be used for the  
25 compensation of the inspector general and his or her staff. The joint committee inspector general  
26 initially appointed pursuant to this section shall take office January 1, 2004, for a term ending  
27 June 30, 2005. Subsequent joint committee on transportation oversight directors shall be  
28 appointed for five-year terms, beginning July 1, 2005. Any joint committee on transportation  
29 oversight inspector general whose term is expiring shall be eligible for reappointment. The  
30 inspector general of the joint committee on transportation oversight shall:

31 (1) Be qualified by training or experience in transportation policy, management of  
32 transportation organizations, accounting, auditing, financial analysis, law, management analysis,  
33 or public administration;

34 (2) Report to and be under the general supervision of the joint committee. The joint  
35 committee on transportation oversight shall, by a majority vote, direct the inspector general to  
36 perform specific investigations, reviews, audits, or other studies of the state department of  
37 transportation, in which instance the director shall report the findings and recommendations  
38 directly to the joint committee on transportation oversight. All investigations, reviews, audits,  
39 or other studies performed by the director shall be conducted so that the general assembly can  
40 procure information to assist it in formulating transportation legislation and policy for this state;

41 (3) Receive and process citizen complaints relating to transportation issues. The  
42 inspector general shall, when necessary, submit a written complaint report to the joint committee  
43 on transportation oversight and the highways and transportation commission. The complaint  
44 report shall contain the date, time, nature of the complaint, and any immediate facts and

45 circumstances surrounding the initial report of the complaint. The inspector general shall  
46 investigate a citizen complaint if he or she is directed to do so by a majority of the joint  
47 committee on transportation oversight;

48 (4) Investigate complaints from current and former employees of the department of  
49 transportation if the inspector general receives information from an employee which shows:

50 (a) The department is violating a law, rule, or regulation;

51 (b) Gross mismanagement by department officers;

52 (c) Waste of funds by the department;

53 (d) That the department is engaging in activities which pose a danger to public health  
54 and safety;

55 (5) Maintain confidentiality with respect to all matters and the identities of the  
56 complainants or witnesses coming before the inspector general except insofar as disclosures may  
57 be necessary to enable the inspector general to carry out duties and to support recommendations;

58 (6) Maintain records of all investigations conducted, including any record or document  
59 or thing, any summary, writing, complaint, data of any kind, tape or video recordings, electronic  
60 transmissions, e-mail, or other paper or electronic documents, records, reports, digital recordings,  
61 photographs, software programs and software, expense accounts, phone logs, diaries, travel logs,  
62 or other things, including originals or copies of any of the above. Records of investigations by  
63 the inspector general shall be an "investigative report" of law enforcement agency pursuant to  
64 the provisions of section 610.100, RSMo. As provided in such section, such records shall be a  
65 closed record until the investigation becomes inactive. If the inspector general refers a violation  
66 of law to the appropriate prosecuting attorney or the attorney general, such records shall be  
67 transmitted with the referral. If the inspector general finds no violation of law or determines not  
68 to refer the subject of the investigation to the appropriate prosecuting attorney or the attorney  
69 general regarding matters referred to the appropriate prosecuting attorney or the attorney general  
70 and the statute of limitations expires without any action being filed, the record shall remain  
71 closed. As provided in section 610.100, RSMo, any person may bring an action pursuant to this  
72 section in the circuit court having jurisdiction to authorize disclosure of information in the  
73 records of the inspector general which would otherwise be closed pursuant to this section. Any  
74 disclosure of records by the inspector general in violation of this section shall be grounds for a  
75 suit brought by any individual, person, or corporation to recover damages, and upon award to the  
76 plaintiff reasonable attorney's fees.

77 3. The department of transportation shall submit a written report prior to November tenth  
78 of each year to the governor, lieutenant governor, and every member of the senate and house of  
79 representatives. The report shall be posted to the department's Internet website so that general

80 assembly members may elect to access a copy of the report electronically. The written report  
81 shall contain the following:

82 (1) A comprehensive financial report of all funds for the preceding state fiscal year  
83 which shall include a report by independent certified public accountants, selected by the  
84 commissioner of the office of administration, attesting that the financial statements present fairly  
85 the financial position of the department in conformity with generally accepted government  
86 accounting principles. This report shall include amounts of:

87 (a) State revenues by sources, including all new state revenue derived from highway  
88 users which results from action of the general assembly or voter-approved measures taken after  
89 August 28, 2003, and projects funded in whole or in part from such new state revenue, and  
90 amounts of federal revenues by source;

91 (b) Any other revenues available to the department by source;

92 (c) Funds appropriated, the amount the department has budgeted and expended for the  
93 following: contracts, right-of-way purchases, preliminary and construction engineering,  
94 maintenance operations and administration;

95 (d) Total state and federal revenue compared to the revenue estimate in the fifteen-year  
96 highway plan as adopted in 1992.

97

98 All expenditures made by, or on behalf of, the department for personal services including fringe  
99 benefits, all categories of expense and equipment, real estate **purchases**, and capital  
100 improvements shall be assigned to the categories listed in this subdivision in conformity with  
101 generally accepted government accounting principles. **The report shall include information**  
102 **concerning the department's system of inventory of records relating to property under**  
103 **review for disposal and land necessary for future use owned by the department and a**  
104 **description of all real estate transactions of such property engaged in by the department**  
105 **for the preceding state fiscal year, including but not limited to the date of each transaction,**  
106 **the source of revenue used by the department for each transaction, and the allocation of**  
107 **any income produced by the real estate;**

108 (2) A detailed explanation of the methods or criteria employed to select construction  
109 projects, including a listing of any new or reprioritized projects not mentioned in a previous  
110 report, and an explanation as to how the new or reprioritized projects meet the selection methods  
111 or criteria;

112 (3) The proposed allocation and expenditure of moneys and the proposed work plan for  
113 the current fiscal year, at least the next four years, and for any period of time expressed in any  
114 public transportation plan approved by either the general assembly or by the voters of Missouri.  
115 This proposed allocation and expenditure of moneys shall include the amounts of proposed

116 allocation and expenditure of moneys in each of the categories listed in subdivision (1) of this  
117 subsection;

118 (4) The amounts which were planned, estimated and expended for projects in the state  
119 highway and bridge construction program or any other projects relating to other modes of  
120 transportation in the preceding state fiscal year and amounts which have been planned, estimated  
121 or expended by project for construction work in progress;

122 (5) The current status as to completion, by project, of the fifteen-year road and bridge  
123 program adopted in 1992. The first written report submitted pursuant to this section shall include  
124 the original cost estimate, updated estimate and final completed cost by project. Each written  
125 report submitted thereafter shall include the cost estimate at the time the project was placed on  
126 the most recent five-year highway and bridge construction plan and the final completed cost by  
127 project;

128 (6) The reasons for cost increases or decreases exceeding five million dollars or ten  
129 percent relative to cost estimates and final completed costs for projects in the state highway and  
130 bridge construction program or any other projects relating to other modes of transportation  
131 completed in the preceding state fiscal year. Cost increases or decreases shall be determined by  
132 comparing the cost estimate at the time the project was placed on the most recent five-year  
133 highway and bridge construction plan and the final completed cost by project. The reasons shall  
134 include the amounts resulting from inflation, departmentwide design changes, changes in project  
135 scope, federal mandates, or other factors;

136 (7) Specific recommendations for any statutory or regulatory changes necessary for the  
137 efficient and effective operation of the department;

138 (8) An accounting of the total amount of state, federal and earmarked federal highway  
139 funds expended in each district of the department of transportation; and

140 (9) Any further information specifically requested by the joint committee on  
141 transportation oversight.

142 4. Prior to December first of each year, the committee shall hold an annual meeting and  
143 call before its members, officials or employees of the state highways and transportation  
144 commission or department of transportation, as determined by the committee, for the sole  
145 purpose of receiving and examining the report required pursuant to subsection 3 of this section.  
146 The joint committee may also call before its members at the annual meeting, the inspector  
147 general of the joint committee on transportation oversight for purposes authorized in this section.  
148 The committee shall not have the power to modify projects or priorities of the state highways and  
149 transportation commission or department of transportation. The committee may make  
150 recommendations to the state highways and transportation commission or the department of

151 transportation. Disposition of those recommendations shall be reported by the commission or  
152 the department to the joint committee on transportation oversight.

153 5. In addition to the annual meeting required by subsection 4 of this section, the  
154 committee shall meet two times each year. The co-chairs of the committee shall establish an  
155 agenda for each meeting that may include, but not be limited to, the following items to be  
156 discussed with the committee members throughout the year during the scheduled meeting:

157 (1) Presentation of a prioritized plan for all modes of transportation;

158 (2) Discussion of department efficiencies and expenditure of cost-savings within the  
159 department;

160 (3) Presentation of a status report on department of transportation revenues and  
161 expenditures, including a detailed summary of projects funded by new state revenue as provided  
162 in paragraph (a) of subdivision (1) of subsection 3 of this section;

163 (4) Review of any report from the joint committee inspector general; and

164 (5) Implementation of any actions as may be deemed necessary by the committee as  
165 authorized by law.

166

167 The co-chairs of the committee may call special meetings of the committee with ten days' notice  
168 to the members of the committee, the director of the department of transportation, and the  
169 department of transportation.

170 6. The committee shall submit records of its meetings to the secretary of the senate and  
171 the chief clerk of the house of representatives in accordance with sections 610.020 and 610.023,  
172 RSMo.

173 7. **As used in this section, the following terms mean:**

174 (1) **"Property under review for disposal", any real estate held by the Missouri**  
175 **highways and transportation commission that is under review by the highways and**  
176 **transportation commission and the department of transportation for disposal as possibly**  
177 **unnecessary for highways and transportation commission and department of**  
178 **transportation purposes;**

179 (2) **"Land necessary for future use", any real estate interest held by the highways**  
180 **and transportation commission for highway projects that have not been constructed, do**  
181 **not have construction funds programmed for the current five-year statewide**  
182 **transportation improvement program, and is being held by the highways and**  
183 **transportation commission for future use when the project, using the real estate, is**  
184 **programmed for construction.**

50.515. The governing body of any county may, by order of such governing body,  
2 impose an administrative service fee on the county park fund or the county road and bridge fund,

3 or any specific purpose capital improvements fund, authorized pursuant to the provisions of  
4 section 67.547, 67.550 or 67.700, RSMo. Such administrative service fee shall only be imposed  
5 to recoup expenditures made from the county general revenue fund to provide administrative  
6 services to the county park fund or the county road and bridge fund, or any specific purpose  
7 capital improvements fund authorized pursuant to section 67.547, 67.550 or 67.700, RSMo,  
8 including, but not limited to, accounting, bookkeeping, legal services, auditing, investment  
9 control, fiscal management, and revenue collection. Any administrative service fee imposed  
10 under this section shall be imposed at a rate which will only generate revenue sufficient to recoup  
11 actual expenditures made from the general revenue fund of the county to provide administrative  
12 services to the fund against which such service fee is imposed, including both direct and indirect  
13 expenditures as determined by an independent audit; provided, that no administrative service fee  
14 shall exceed three percent of the total budget of the fund on which such fee is imposed, **except**  
15 **in any county of the third classification, in which no administrative service fee shall exceed**  
16 **five percent of the total budget of the fund on which such fee is imposed.**

226.030. 1. The [state] highways and transportation commission shall consist of six  
2 members, who shall be appointed by the governor, by and with the advice and consent of the  
3 senate, not more than three thereof to be members of the same political party. Each  
4 commissioner shall be a taxpayer and resident of state for at least five years prior to his  
5 appointment. Any commissioner may be removed by the governor if fully satisfied of his  
6 inefficiency, neglect of duty, or misconduct in office. Commissioners appointed pursuant to this  
7 section shall be appointed for terms of six years, **except as otherwise provided in this**  
8 **subsection.** Upon the expiration of each of the foregoing terms of these commissioners a  
9 successor shall be appointed for a term of six years or until his successor is appointed and  
10 qualified which term of six years shall thereafter be the length of term of each member of the  
11 commission unless removed as above provided. The members of the commission shall receive  
12 as compensation for their services twenty-five dollars per day for the time spent in the  
13 performance of their official duties, and also their necessary traveling and other expenses  
14 incurred while actually engaged in the discharge of their official duties. Members whose terms  
15 otherwise expire December 1, 2003, shall serve with terms expiring March 1, 2004, and new  
16 members or the members reappointed shall be appointed for terms expiring March 1, 2005; a  
17 member whose term otherwise expires December 1, 2005, shall serve with a term expiring  
18 March 1, 2007; a member whose term otherwise expires December 1, 2007, shall serve with a  
19 term expiring March 1, 2009; and one member whose term otherwise expires October 13, 2007,  
20 shall serve with a term expiring March 1, 2007; and one member whose term otherwise expires  
21 October 13, 2007, shall serve with a term expiring March 1, 2009. If a vacancy occurs in any

22 term of a commissioner due to death, resignation, or removal, a successor shall be appointed for  
23 only the remainder of the unexpired term.

24         2. Beginning August 28, [2003, when two members of the state highways and  
25 transportation commission are within two years of expiration of their terms, the commission shall  
26 appoint one of those two members as chair of the commission and the other as vice chair, each  
27 to serve in such position for one year.] **2004, the two members of the commission, one each  
28 from opposing political parties, who have the most seniority in commission service shall  
29 serve as commission leadership with one member as chair and the other member as vice  
30 chair, respectively, for terms ending March 1, 2005. The commission shall elect one of the  
31 members as chair and the other as vice chair. Effective March 1, 2005, the commission  
32 shall elect the two members of the commission, one from each opposing political party who  
33 has the most seniority in commission service, who shall serve as commission leadership  
34 with one member as chair and the other member as vice chair, respectively, for one year.  
35 At the end of such year, the member currently serving as chair shall then serve as vice  
36 chair, and the member currently serving as vice chair shall serve as chair, each to serve in  
37 such position for one year. Thereafter, commission leadership shall continue to rotate  
38 accordingly with the two members from opposing political parties who have the most  
39 seniority in terms of commission service being elected by the commission to serve as  
40 commission leadership. If one of the commission leadership offices becomes vacant due to  
41 death, resignation, removal, or refusal to serve before the one-year leadership term expires,  
42 the commission shall elect one of its members that is of the same political party as the  
43 vacating officer to serve the remainder of the vacating officer's leadership term. Such  
44 election shall not prohibit that member from later serving as chair and vice chair when  
45 such member's seniority in commission service qualifies him or her for those offices as  
46 provided in this subsection.** At the end of such year, the member currently serving as chair  
47 shall then serve as vice chair, and the member currently serving as vice chair shall serve as chair,  
48 each to serve in such position for one year.

49         3. No more than one-half of the members of the [state highways and transportation]  
50 commission shall be of the same political party. The selection and removal of all employees of  
51 the department of [highways and] transportation shall be without regard to political affiliation.

52         4. The present members of the [state highways and transportation] commission shall  
53 **continue to** serve as members of the [state highways and transportation] commission for the  
54 remainder of the terms for which they were appointed, except as provided in subsection 1 of this  
55 section.

56         5. The director of the department of transportation shall, by February fifteenth of each  
57 year, present an annual state of the state of transportation to a joint session of the general



58 assembly. The six members of the [state highways and transportation] commission shall be  
59 present and available at such presentations for questions by members. The transportation  
60 inspector general may also be present and report to the general assembly on any matter of  
61 concern within his or her statutory authority. The provisions of this subsection shall expire  
62 August 28, 2008.

63 **6. Any member reappointed shall only be eligible to serve as chair or vice-chair**  
64 **during the final two years of such member's reappointment.**

226.060. The [state highways and transportation commission] **director of the**  
2 **department of transportation** shall select and fix the salary of a chief counsel who shall  
3 possess the same qualifications as judges of the supreme court and who shall serve at the  
4 pleasure of the [commission] **director** and shall appear for and represent the commission in all  
5 actions and proceedings under chapters 226 and 227, RSMo, or any other law administered by  
6 the commission, or in any decision, order or proceeding of the commission, or of the director and  
7 shall commence, prosecute or defend all actions or proceedings authorized or requested by the  
8 commission or to which the commission is a party and shall advise the commission or the  
9 director, when requested, in all matters in connection with the organization, powers and duties  
10 of the commission or the powers and duties of the director. The chief counsel shall, with the  
11 consent of the [commission] **director**, appoint such assistant attorneys as the [commission]  
12 **director** may deem necessary and their salaries shall be fixed by the [commission] **director**. The  
13 chief counsel's office [of the commission] shall be furnished offices in the department of  
14 transportation building.

226.527. 1. On and after August 13, 1976, no outdoor advertising shall be erected or  
2 maintained beyond six hundred and sixty feet of the right-of-way, located outside of urban areas,  
3 visible from the main traveled way of the interstate or primary system and erected with the  
4 purpose of its message being read from such traveled way, except such outdoor advertising as  
5 is defined in subdivisions (1) and (2) of section 226.520.

6 2. No compensation shall be paid for the removal of any sign erected in violation of  
7 subsection 1 of this section unless otherwise authorized or permitted by sections 226.501 to  
8 226.580. No sign erected prior to August 13, 1976, which would be in violation of this section  
9 if it were erected or maintained after August 13, 1976, shall be removed unless such removal is  
10 required by the Secretary of Transportation and federal funds required to be contributed to this  
11 state under section 131(g) of Title 23, United States Code, to pay compensation for such removal  
12 have been appropriated and allocated and are immediately available to this state, and in such  
13 event, such sign shall be removed pursuant to section 226.570.

14 3. In the event any portion of this chapter is found in noncompliance with Title 23,  
15 United States Code, section 131, by the Secretary of Transportation or his representative, and any

16 portion of federal-aid highway funds or funds authorized for removal of outdoor advertising are  
17 withheld, or declared forfeited by the Secretary of Transportation or his representative, all  
18 removal of outdoor advertising by the Missouri state highways and transportation commission  
19 pursuant to this chapter shall cease, and shall not be resumed until such funds are restored in full.  
20 Such cessation of removal shall not be construed to affect compensation for outdoor advertising  
21 removed or in the process of removal pursuant to this chapter.

22         4. In addition to any applicable regulations set forth in sections 226.500 through 226.600,  
23 signs within an area subject to control by a local zoning authority and wherever located within  
24 such area shall be subject to reasonable regulations of that local zoning authority relative to size,  
25 lighting, spacing, and location; provided, however, that no local zoning authority shall have  
26 authority to require any sign within its jurisdiction which was lawfully erected and which is  
27 maintained in good repair to be removed without the payment of just compensation. **The**  
28 **requirement by a local zoning authority that a legally erected outdoor advertising structure**  
29 **be removed or altered as a condition or prerequisite for the issuance or continued**  
30 **effectiveness of a permit, license, or other approval for any use, structure, development,**  
31 **or activity other than outdoor advertising, including a request for rezoning, constitutes a**  
32 **compelled removal or alteration, which is prohibited without the payment of just**  
33 **compensation as required by this subsection.**

**226.532. 1. As used in this section the following terms shall mean:**

2         **(1) "Adult cabaret", a nightclub, bar, restaurant, or similar establishment in which**  
3 **persons appear in a state of nudity in the performance of their duties;**

4         **(2) "Sexually oriented business", any business which offers its patrons goods of**  
5 **which a substantial portion are sexually oriented materials. Any business where more than**  
6 **ten percent of display space is used for sexually oriented materials shall be presumed to be**  
7 **a sexually oriented business;**

8         **(3) "Sexually oriented materials", any textual, pictorial, or three dimensional**  
9 **material that depicts nudity, sexual conduct, sexual excitement, or sadomasochistic abuse**  
10 **in a way which is patently offensive to the average person applying contemporary**  
11 **community standards with respect to what is suitable for minors.**

12         **2. No billboard or other exterior advertising sign for an adult cabaret or sexually**  
13 **oriented business shall be located within one mile of any state highway, except if such**  
14 **business is located within one mile of a state highway, then the business may display a**  
15 **maximum of two exterior signs on the premises of the business, consisting of one**  
16 **identification sign and one sign solely giving notice that the premises are off limits to**  
17 **minors. The identification sign shall be no more than forty square feet in size and shall**

18 **include no more than the following information: name, street address, telephone number,**  
19 **and operating hours of the business.**

20 **3. Signs existing at the time of the adoption of this section, which do not conform**  
21 **to the requirements of this section, may be allowed to continue as a nonconforming use, but**  
22 **should be made to conform within three years from August 28, 2004.**

23 **4. Any owner of such a business who violates any of the provisions of this section**  
24 **shall be guilty of a class C misdemeanor.**

**226.611. 1. Notwithstanding any provision of law to the contrary, any business**  
2 **located in any county of the third or fourth classification may erect informational or on-**  
3 **premises signs on property adjacent to any state highway indicating the location of the**  
4 **business, provided that such signs are placed on the property on which the business is**  
5 **located or on any private property upon which the owner of the private property has given**  
6 **the business permission to erect a sign. No sign erected under this section shall be larger**  
7 **than ten feet wide and six feet high. All costs of erecting the sign shall be paid by the**  
8 **business. Any business owner desiring to place a sign under this section shall apply for a**  
9 **permit to erect the sign from the county in which the sign is located, accompanied by a**  
10 **twenty-five dollar permit fee, and shall submit to the department of transportation a one**  
11 **hundred dollar inspection fee every two years from the date the application to erect the**  
12 **sign is received by the county. The signs shall be regularly maintained by the owner of the**  
13 **business, and the department of transportation or the governing body of the county in**  
14 **which the sign is located may inspect the signs on a regular basis to determine whether the**  
15 **sign is appropriately maintained.**

16 **2. No sign erected under this section in any zoned county shall be located in any**  
17 **area except those zoned commercial or industrial. Any sign erected under this section in**  
18 **any unzoned county shall be exempt from the requirement that the sign be within seven**  
19 **hundred fifty feet of a business or industrial activity area.**

20 **3. Any sign erected under this section shall be exempt from any spacing**  
21 **requirements adopted under this chapter.**

22 **4. Any sign erected under this section shall specify the distance to the business**  
23 **structure for which the sign is erected.**

24 **5. No sign erected under this section outside the boundaries of a city shall be more**  
25 **than ten miles from the business structure for which the sign is erected.**

26 **6. No business under this section shall be allowed more than two signs on any given**  
27 **roadway.**

**227.120. 1. The state highways and transportation commission shall have power to**  
2 **purchase, lease, or condemn, lands in the name of the state of Missouri for the following**

3 purposes when necessary for the proper and economical construction and maintenance of state  
4 highways:

5 (1) Acquiring the right-of-way for the location, construction, reconstruction, widening,  
6 improvement or maintenance of any state highway or any part thereof;

7 (2) Acquiring bridges or sites therefor and ferries, including the rights and franchises for  
8 the maintenance and operation thereof, over navigable streams, at such places as the state  
9 highways and transportation commission shall have authority to construct, acquire or contribute  
10 to the cost of construction of any bridge;

11 (3) Acquiring the right-of-way for the location, construction, reconstruction, widening,  
12 improvement or maintenance of any highway ordered built by the bureau of public roads of the  
13 Department of Agriculture of the United States government;

14 (4) Obtaining road building or road maintenance materials or plants for the manufacture  
15 or production of such materials and acquiring the right-of-way thereto; also acquiring the  
16 right-of-way to such plants as are privately owned when necessary for the proper and economical  
17 construction of the state highway system;

18 (5) Changing gradients in any state highway;

19 (6) Establishing detours in connection with the location, construction, reconstruction,  
20 widening, improvement or maintenance of any state highway or any part thereof;

21 (7) Changing the channels of any stream and providing for drainage ditches when  
22 necessary for the proper construction or maintenance of any state highway;

23 (8) Eliminating grade crossings;

24 (9) Acquiring water supply and water power sites and necessary lands for use in  
25 connection therewith, including rights-of-way to any such sites;

26 (10) Acquiring sites for garages and division offices and for storing materials, machinery  
27 and supplies;

28 (11) Acquiring lands for sight distances along any state highway or any portion thereof  
29 whenever necessary, and also acquiring lands within wyes formed by junctions of state highways,  
30 or junctions of state highways and other public highways;

31 (12) Acquiring lands or interests therein for the purpose of depositing thereon excess  
32 excavated, or other materials produced in the construction, reconstruction, widening,  
33 improvement or maintenance of any state highway;

34 (13) Acquiring lands for any other purpose necessary for the proper and economical  
35 construction of the state highway system for which the commission may have authority granted  
36 by law. If condemnation becomes necessary, the commission shall have the power to proceed  
37 to condemn such lands in the name of the state of Missouri, in accordance with the provisions  
38 of chapter 523, RSMo, insofar as the same is applicable to the said state highways and

39 transportation commission, and the court or jury shall take into consideration the benefits to be  
40 derived by the owner, as well as the damage sustained thereby. The state highways and  
41 transportation commission also shall have the same authority to enter upon private lands to  
42 survey and determine the most advantageous route of any state highway as granted, under section  
43 388.210, RSMo, to railroad corporations.

44 **2. In any case in which the commission exercises eminent domain involving a taking**  
45 **of real estate, the court, commissioners, and jury shall consider the restriction of or loss of**  
46 **access to any adjacent highway as an element in assessing the damages. As used in this**  
47 **subsection, "restriction of or loss of access" includes, but is not limited to, the prohibition**  
48 **of making right or left turns into or out of the real estate involved, provided that such**  
49 **access was present before the proposed improvement or taking.**

**227.332. The portion of Missouri route 364 in St. Louis County from interstate**  
2 **highway 270 to the crossing of the Missouri River, known as the Veterans' Memorial**  
3 **Bridge, shall be designated the "Buzz Westfall Memorial Highway." The Buzz Westfall**  
4 **Memorial Highway shall not include any portion of the Veterans' Memorial Bridge.**

**227.346. The portion of Interstate Highway 70 between mile marker 69 in any**  
2 **county of the fourth classification with more than twenty-three thousand seven hundred**  
3 **but less than twenty-three thousand eight hundred inhabitants and east to mile marker 123**  
4 **in any county of the first classification with more than one hundred thirty-five thousand**  
5 **four hundred but less than one hundred thirty-five thousand five hundred inhabitants,**  
6 **except where otherwise designated, shall be designated the "U.S. Submarine Veterans'**  
7 **Memorial Highway", and shall represent in its fifty-four mile stretch the fifty-four**  
8 **submarines lost during war and the Cold War. The department of transportation shall**  
9 **erect and maintain appropriate signs designating such highway, with the cost of such signs**  
10 **to be paid by the submarine veterans' association.**

**227.349. The portion of state highway J in Lincoln County from the intersection**  
2 **of state highway J and state highway 47 to the intersection of state highway J and state**  
3 **highway U shall be named the "Veterans Highway".**

**227.350. The portion of U.S. highway 67 in St. Francois County between state route**  
2 **8 in Desloge and state route 32 in Leadington shall be designated the "Deputy Steven R.**  
3 **Ziegler Memorial Highway". Costs for such designations shall be paid by private**  
4 **donations.**

**227.352. The portion of state route 51 in Perry County from interstate highway 55**  
2 **to U.S. Highway 61 shall be designated the "Thomas G. Tucker, Jr. Memorial Highway".**

**233.166. Notwithstanding other provisions of this chapter to the contrary, in any**  
2 **county, any petition to disincorporate a road district organized under this chapter shall be**

3 presented to the county commission or similar authority. The petition shall be signed by  
4 the lesser of fifty or a majority of the registered voters residing within the district, shall  
5 state the name of the district, and shall request the disincorporation of the district. If a  
6 petition is submitted as authorized in this section, and it is the opinion of the county  
7 commission that the public good will be advanced by the disincorporation after providing  
8 notice and a hearing as required in section 233.295, then the county commission shall  
9 disincorporate the road district.

238.208. The owners of property adjacent to a transportation district formed under  
2 the Missouri transportation development district act and the existing owners of property  
3 within said district may petition the court by unanimous petition to add the above  
4 described adjacent property to the district. Any property added under this section shall  
5 be subject to all projects, taxes, and special assessments in effect as of the date of the court  
6 order adding the property to the district. The owners of the added property shall be  
7 allowed to vote at the next election scheduled for the district to fill vacancies on the board  
8 and on any other question submitted to them by the board under this chapter. The owners  
9 of property added under this section shall have one vote per acre in the same manner as  
10 provided in subdivision (2) of subsection 2 of section 238.220.

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

3 (1) "All-terrain vehicle", any motorized vehicle manufactured and used exclusively for  
4 off-highway use which is fifty inches or less in width, with an unladen dry weight of six hundred  
5 pounds or less, traveling on three, four or more low pressure tires, with a seat designed to be  
6 straddled by the operator, and handlebars for steering control;

7 (2) "Automobile transporter", any vehicle combination designed and used specifically  
8 for the transport of assembled motor vehicles;

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

12 (4) "Boat transporter", any vehicle combination designed and used specifically to  
13 transport assembled boats and boat hulls;

14 (5) "Body shop", a business that repairs physical damage on motor vehicles that are not  
15 owned by the shop or its officers or employees by mending, straightening, replacing body parts,  
16 or painting;

17 (6) "Bus", a motor vehicle primarily for the transportation of a driver and eight or more  
18 passengers but not including shuttle buses;

19 (7) "Commercial motor vehicle", a motor vehicle designed or regularly used for carrying  
20 freight and merchandise, or more than eight passengers but not including vanpools or shuttle  
21 buses;

22 (8) "Cotton trailer", a trailer designed and used exclusively for transporting cotton at  
23 speeds less than forty miles per hour from field to field or from field to market and return;

24 (9) "Dealer", any person, firm, corporation, association, agent or subagent engaged in  
25 the sale or exchange of new, used or reconstructed motor vehicles or trailers;

26 (10) "Director" or "director of revenue", the director of the department of revenue;

27 (11) "Driveaway operation", the movement of a motor vehicle or trailer by any person  
28 or motor carrier other than a dealer over any public highway, under its own power singly, or in  
29 a fixed combination of two or more vehicles, for the purpose of delivery for sale or for delivery  
30 either before or after sale;

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

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

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

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

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

40 (17) "Gross weight", the weight of vehicle and/or vehicle combination without load, plus  
41 the weight of any load thereon;

42 (18) "Hail-damaged vehicle", any vehicle, the body of which has become dented as the  
43 result of the impact of hail;

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

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

48 (21) "Intersecting highway", any highway which joins another, whether or not it crosses  
49 the same;

50 (22) "Junk vehicle", a vehicle which is incapable of operation or use upon the highways  
51 and has no resale value except as a source of parts or scrap, and shall not be titled or registered;

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

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

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

61 (b) An area that extends not more than a radius of twenty-five miles from its home base  
62 of operations when transporting its owner's machinery, equipment, or auxiliary supplies to or  
63 from projects not involving soil and water conservation. Nothing in this subdivision shall be  
64 construed to prevent any motor vehicle from being registered as a commercial motor vehicle or  
65 local commercial motor vehicle;

66 (25) "Local commercial motor vehicle", a commercial motor vehicle whose operations  
67 are confined solely to a municipality and that area extending not more than fifty miles therefrom,  
68 or a commercial motor vehicle whose property-carrying operations are confined solely to the  
69 transportation of property owned by any person who is the owner or operator of such vehicle to  
70 or from a farm owned by such person or under the person's control by virtue of a landlord and  
71 tenant lease; provided that any such property transported to any such farm is for use in the  
72 operation of such farm;

73 (26) "Local log truck", a commercial motor vehicle which is registered pursuant to this  
74 chapter to operate as a motor vehicle on the public highways of this state, used exclusively in this  
75 state, used to transport harvested forest products, operated solely at a forested site and in an area  
76 extending not more than a fifty-mile radius from such site, carries a load with dimensions not  
77 in excess of twenty-five cubic yards per two axles with dual wheels, and is not operated on the  
78 national system of interstate and defense highways described in Title 23, Section 103(e) of the  
79 United States Code, does not have more than four axles and does not pull a trailer which has  
80 more than two axles. A local log truck may not exceed the limits required by law, however, if  
81 the truck does exceed such limits as determined by the inspecting officer, then notwithstanding  
82 any other provisions of law to the contrary, such truck shall be subject to the weight limits  
83 required by such sections as licensed for eighty thousand pounds;

84 (27) **"Local log truck tractor", a commercial motor vehicle which is registered**  
85 **under this chapter to operate as a motor vehicle on the public highways of this state, used**  
86 **exclusively in this state, used to transport harvested forest products, operated solely at a**  
87 **forested site and in an area extending not more than a fifty-mile radius from such site,**  
88 **operates with a weight not exceeding twenty-two thousand four hundred pounds on one**  
89 **axle or with a weight not exceeding forty-four thousand eight hundred pounds on any**  
90 **tandem axle, is not operated on the national system of interstate and defense highways**



91 **described in Title 23, Section 103(e) of the United States Code, and does not have more**  
92 **than three axles and does not pull a trailer which has more than two axles;**

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

97 [(28)] (29) "Log truck", a vehicle which is not a local log truck and is used exclusively  
98 to transport harvested forest products to and from forested sites which is registered pursuant to  
99 this chapter to operate as a motor vehicle on the public highways of this state for the  
100 transportation of harvested forest products;

101 [(29)] (30) "Major component parts", the rear clip, cowl, frame, body, cab, front-end  
102 assembly, and front clip, as those terms are defined by the director of revenue pursuant to rules  
103 and regulations or by illustrations;

104 [(30)] (31) "Manufacturer", any person, firm, corporation or association engaged in the  
105 business of manufacturing or assembling motor vehicles, trailers or vessels for sale;

106 [(31)] (32) "Mobile scrap processor", a business located in Missouri or any other state  
107 that comes onto a salvage site and crushes motor vehicles and parts for transportation to a  
108 shredder or scrap metal operator for recycling;

109 [(32)] (33) "Motor change vehicle", a vehicle manufactured prior to August, 1957, which  
110 receives a new, rebuilt or used engine, and which used the number stamped on the original  
111 engine as the vehicle identification number;

112 [(33)] (34) "Motor vehicle", any self-propelled vehicle not operated exclusively upon  
113 tracks, except farm tractors;

114 [(34)] (35) "Motor vehicle primarily for business use", any vehicle other than a  
115 recreational motor vehicle, motorcycle, motortricycle, or any commercial motor vehicle licensed  
116 for over twelve thousand pounds:

117 (a) Offered for hire or lease; or

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

119 [(35)] (36) "Motorcycle", a motor vehicle operated on two wheels;

120 [(36)] (37) "Motorized bicycle", any two-wheeled or three-wheeled device having an  
121 automatic transmission and a motor with a cylinder capacity of not more than fifty cubic  
122 centimeters, which produces less than three gross brake horsepower, and is capable of propelling  
123 the device at a maximum speed of not more than thirty miles per hour on level ground;

124 [(37)] (38) "Motortricycle", a motor vehicle operated on three wheels, including a  
125 motorcycle while operated with any conveyance, temporary or otherwise, requiring the use of  
126 a third wheel. A motortricycle shall not be included in the definition of all-terrain vehicle;

127 [(38)] (39) "Municipality", any city, town or village, whether incorporated or not;

128 [(39)] (40) "Nonresident", a resident of a state or country other than the state of Missouri;

129 [(40)] (41) "Non-USA-std motor vehicle", a motor vehicle not originally manufactured  
130 in compliance with United States emissions or safety standards;

131 [(41)] (42) "Operator", any person who operates or drives a motor vehicle;

132 [(42)] (43) "Owner", any person, firm, corporation or association, who holds the legal  
133 title to a vehicle or in the event a vehicle is the subject of an agreement for the conditional sale  
134 or lease thereof with the right of purchase upon performance of the conditions stated in the  
135 agreement and with an immediate right of possession vested in the conditional vendee or lessee,  
136 or in the event a mortgagor of a vehicle is entitled to possession, then such conditional vendee  
137 or lessee or mortgagor shall be deemed the owner for the purpose of this law;

138 [(43)] (44) "Public garage", a place of business where motor vehicles are housed, stored,  
139 repaired, reconstructed or repainted for persons other than the owners or operators of such place  
140 of business;

141 [(44)] (45) "Rebuilder", a business that repairs or rebuilds motor vehicles owned by the  
142 rebuilder, but does not include certificated common or contract carriers of persons or property;

143 [(45)] (46) "Reconstructed motor vehicle", a vehicle that is altered from its original  
144 construction by the addition or substitution of two or more new or used major component parts,  
145 excluding motor vehicles made from all new parts, and new multistage manufactured vehicles;

146 [(46)] (47) "Recreational motor vehicle", any motor vehicle designed, constructed or  
147 substantially modified so that it may be used and is used for the purposes of temporary housing  
148 quarters, including therein sleeping and eating facilities which are either permanently attached  
149 to the motor vehicle or attached to a unit which is securely attached to the motor vehicle.  
150 Nothing herein shall prevent any motor vehicle from being registered as a commercial motor  
151 vehicle if the motor vehicle could otherwise be so registered;

152 [(47)] (48) "Rollback or car carrier", any vehicle specifically designed to transport  
153 wrecked, disabled or otherwise inoperable vehicles, when the transportation is directly connected  
154 to a wrecker or towing service;

155 [(48)] (49) "Saddlemount combination", a combination of vehicles in which a truck or  
156 truck tractor tows one or more trucks or truck tractors, each connected by a saddle to the frame  
157 or fifth wheel of the vehicle in front of it. The "saddle" is a mechanism that connects the front  
158 axle of the towed vehicle to the frame or fifth wheel of the vehicle in front and functions like a  
159 fifth wheel kingpin connection. When two vehicles are towed in this manner the combination  
160 is called a double saddlemount combination. When three vehicles are towed in this manner, the  
161 combination is called a triple saddlemount combination;

162 [(49)] (50) "Salvage dealer and dismantler", a business that dismantles used motor  
163 vehicles for the sale of the parts thereof, and buys and sells used motor vehicle parts and  
164 accessories;

165 [(50)] (51) "Salvage vehicle", a motor vehicle, semitrailer or house trailer which, by  
166 reason of condition or circumstance, has been declared salvage, either by its owner, or by a  
167 person, firm, corporation, or other legal entity exercising the right of security interest in it, or by  
168 an insurance company as a result of settlement of a claim for loss due to damage or theft; or a  
169 vehicle, ownership of which is evidenced by a salvage title; or abandoned property which is titled  
170 pursuant to section 304.155, RSMo, or section 304.157, RSMo, and designated with the words  
171 "salvage/abandoned property";

172 [(51)] (52) "School bus", any motor vehicle used solely to transport students to or from  
173 school or to transport students to or from any place for educational purposes;

174 [(52)] (53) "Shuttle bus", a motor vehicle used or maintained by any person, firm, or  
175 corporation as an incidental service to transport patrons or customers of the regular business of  
176 such person, firm, or corporation to and from the place of business of the person, firm, or  
177 corporation providing the service at no fee or charge. Shuttle buses shall not be registered as  
178 buses or as commercial motor vehicles;

179 [(53)] (54) "Special mobile equipment", every self-propelled vehicle not designed or  
180 used primarily for the transportation of persons or property and incidentally operated or moved  
181 over the highways, including farm equipment, implements of husbandry, road construction or  
182 maintenance machinery, ditch-digging apparatus, stone crushers, air compressors, power shovels,  
183 cranes, graders, rollers, well-drillers and wood-sawing equipment used for hire, asphalt  
184 spreaders, bituminous mixers, bucket loaders, ditchers, leveling graders, finished machines,  
185 motor graders, road rollers, scarifiers, earth-moving carryalls, scrapers, drag lines, concrete pump  
186 trucks, rock-drilling and earth-moving equipment. This enumeration shall be deemed partial and  
187 shall not operate to exclude other such vehicles which are within the general terms of this  
188 section;

189 [(54)] (55) "Specially constructed motor vehicle", a motor vehicle which shall not have  
190 been originally constructed under a distinctive name, make, model or type by a manufacturer of  
191 motor vehicles. The term "specially constructed motor vehicle" includes kit vehicles;

192 [(55)] (56) "Stinger-steered combination", a truck tractor-semitrailer wherein the fifth  
193 wheel is located on a drop frame located behind and below the rearmost axle of the power unit;

194 [(56)] (57) "Tandem axle", a group of two or more axles, arranged one behind another,  
195 the distance between the extremes of which is more than forty inches and not more than  
196 ninety-six inches apart;

197 [(57)] (58) "Tractor", "truck tractor" or "truck-tractor", a self-propelled motor vehicle  
198 designed for drawing other vehicles, but not for the carriage of any load when operating  
199 independently. When attached to a semitrailer, it supports a part of the weight thereof;

200 [(58)] (59) "Trailer", any vehicle without motive power designed for carrying property  
201 or passengers on its own structure and for being drawn by a self-propelled vehicle, except those  
202 running exclusively on tracks, including a semitrailer or vehicle of the trailer type so designed  
203 and used in conjunction with a self-propelled vehicle that a considerable part of its own weight  
204 rests upon and is carried by the towing vehicle. The term "trailer" shall not include cotton  
205 trailers as defined in subdivision (8) of this section and shall not include manufactured homes  
206 as defined in section 700.010, RSMo;

207 [(59)] (60) "Truck", a motor vehicle designed, used, or maintained for the transportation  
208 of property;

209 [(60)] (61) "Truck-tractor semitrailer-semitrailer", a combination vehicle in which the  
210 two trailing units are connected with a B-train assembly which is a rigid frame extension  
211 attached to the rear frame of a first semitrailer which allows for a fifth-wheel connection point  
212 for the second semitrailer and has one less articulation point than the conventional "A dolly"  
213 connected truck-tractor semitrailer-trailer combination;

214 [(61)] (62) "Truck-trailer boat transporter combination", a boat transporter combination  
215 consisting of a straight truck towing a trailer using typically a ball and socket connection with  
216 the trailer axle located substantially at the trailer center of gravity rather than the rear of the  
217 trailer but so as to maintain a downward force on the trailer tongue;

218 [(62)] (63) "Used parts dealer", a business that buys and sells used motor vehicle parts  
219 or accessories, but not including a business that sells only new, remanufactured or rebuilt parts.  
220 "Business" does not include isolated sales at a swap meet of less than three days;

221 [(63)] (64) "Vanpool", any van or other motor vehicle used or maintained by any person,  
222 group, firm, corporation, association, city, county or state agency, or any member thereof, for the  
223 transportation of not less than eight nor more than forty-eight employees, per motor vehicle, to  
224 and from their place of employment; however, a vanpool shall not be included in the definition  
225 of the term "bus" or "commercial motor vehicle" as defined by subdivisions (6) and (7) of this  
226 section, nor shall a vanpool driver be deemed a "chauffeur" as that term is defined by section  
227 302.010, RSMo; nor shall use of a vanpool vehicle for ride-sharing arrangements, recreational,  
228 personal, or maintenance uses constitute an unlicensed use of the motor vehicle, unless used for  
229 monetary profit other than for use in a ride-sharing arrangement;

230 [(64)] (65) "Vehicle", any mechanical device on wheels, designed primarily for use, or  
231 used, on highways, except motorized bicycles, vehicles propelled or drawn by horses or human

232 power, or vehicles used exclusively on fixed rails or tracks, or cotton trailers or motorized  
233 wheelchairs operated by handicapped persons;

234 [(65)] (66) "Wrecker" or "tow truck", any emergency commercial vehicle equipped,  
235 designed and used to assist or render aid and transport or tow disabled or wrecked vehicles from  
236 a highway, road, street or highway rights-of-way to a point of storage or repair, including towing  
237 a replacement vehicle to replace a disabled or wrecked vehicle;

238 [(66)] (67) "Wrecker or towing service", the act of transporting, towing or recovering  
239 with a wrecker, tow truck, rollback or car carrier any vehicle not owned by the operator of the  
240 wrecker, tow truck, rollback or car carrier for which the operator directly or indirectly receives  
241 compensation or other personal gain.

304.190. 1. No motor vehicle, unladen or with load, operating exclusively within the  
2 corporate limits of cities containing seventy-five thousand inhabitants or more or within two  
3 miles of the corporate limits of the city or within the commercial zone of the city shall exceed  
4 fifteen feet in height.

5 2. No motor vehicle operating exclusively within any said area shall have a greater  
6 weight than twenty-two thousand four hundred pounds on one axle.

7 3. The "commercial zone" of the city is defined to mean that area within the city together  
8 with the territory extending one mile beyond the corporate limits of the city and one mile  
9 additional for each fifty thousand population or portion thereof provided, however, the  
10 commercial zone surrounding a city not within a county shall extend eighteen miles beyond the  
11 corporate limits of any such city not located within a county and shall also extend throughout any  
12 first class charter county which adjoins that city; further, provided, however, the commercial  
13 zone of a city with a population of at least four hundred thousand inhabitants but not more than  
14 four hundred fifty thousand inhabitants shall extend twelve miles beyond the corporate limits of  
15 any such city; **except that this zone shall extend from the southern border of such city's**  
16 **limits, beginning with the western-most freeway, following said freeway south to the first**  
17 **intersection with a multilane undivided highway, where the zone shall extend south along**  
18 **said freeway to include a city of the fourth classification with more than eight thousand**  
19 **nine hundred but less than nine thousand inhabitants, and shall extend north from the**  
20 **intersection of said freeway and multilane undivided highway along the multilane**  
21 **undivided highway to the city limits of a city with a population of at least four hundred**  
22 **thousand inhabitants but not more than four hundred fifty thousand inhabitants.** In no  
23 case shall the commercial zone of a city be reduced due to a loss of population. The provisions  
24 of this section shall not apply to motor vehicles operating on the interstate highways in the area  
25 beyond two miles of a corporate limit of the city unless the United States Department of  
26 Transportation increases the allowable weight limits on the interstate highway system within

27 commercial zones. In such case, the mileage limits established in this section shall be  
28 automatically increased only in the commercial zones to conform with those authorized by the  
29 United States Department of Transportation.

30 4. Nothing in this section shall prevent a city, county, or municipality, by ordinance,  
31 from designating the routes over which such vehicles may be operated.

**Section 1. The portion of U.S. 249 bypass in Jasper County from Newman road to  
2 U.S. 171 shall be designated the "Earl Carr Memorial Highway". The cost of all signage  
3 shall be paid by the city of Joplin.**

**Section 2. The portion of U.S. 71 from Iris road to state highway 86 in Newton  
2 county shall be designated the "James W. Minton, Jr. Memorial Highway".**

Section B. Because immediate action is necessary to ensure just compensation for the  
2 restriction on loss of property rights for owners of real estate, the repeal and reenactment of  
3 section 227.120 of section A of this act is deemed necessary for the immediate preservation of  
4 the public health, welfare, peace, and safety, and is hereby declared to be an emergency act  
5 within the meaning of the constitution, and the repeal and reenactment of section 227.120 of  
6 section A of this act shall be in full force and effect upon its passage and approval.