

**HOUSE** \_\_\_\_\_ **AMENDMENT NO.** \_\_\_\_\_

**Offered By**

1 AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for  
2 Senate Bill No. 470, Page 6, Section 260.392, Line 143, by inserting after all of said line and  
3 Section the following:  
4

5 "301.010. As used in this chapter and sections 304.010 to  
6 304.040, 304.120 to 304.260, and sections 307.010 to 307.175, the  
7 following terms mean:

8 (1) "All-terrain vehicle", any motorized vehicle  
9 manufactured and used exclusively for off-highway use which is  
10 fifty inches or less in width, with an unladen dry weight of one  
11 thousand five hundred pounds or less, traveling on three, four or  
12 more nonhighway tires, with a seat designed to be straddled by  
13 the operator, or with a seat designed to carry more than one  
14 person, and handlebars for steering control;

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

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

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

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

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

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

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

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

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

13          (11) "Driveaway operation":

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

19          (b) The movement of any vehicle or vehicles, not owned by  
20 the transporter, constituting the commodity being transported, by  
21 a person engaged in the business of furnishing drivers and  
22 operators for the purpose of transporting vehicles in transit  
23 from one place to another by the driveaway or towaway methods; or

24          (c) The movement of a motor vehicle by any person who is  
25 lawfully engaged in the business of transporting or delivering  
26 vehicles that are not the person's own and vehicles of a type  
27 otherwise required to be registered, by the driveaway or towaway  
28 methods, from a point of manufacture, assembly or distribution or  
29 from the owner of the vehicles to a dealer or sales agent of a  
30 manufacturer or to any consignee designated by the shipper or  
31 consignor;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

1 commercial motor vehicle;

2 (25) "Local commercial motor vehicle", a commercial motor  
3 vehicle whose operations are confined solely to a municipality  
4 and that area extending not more than fifty miles therefrom, or a  
5 commercial motor vehicle whose property-carrying operations are  
6 confined solely to the transportation of property owned by any  
7 person who is the owner or operator of such vehicle to or from a  
8 farm owned by such person or under the person's control by virtue  
9 of a landlord and tenant lease; provided that any such property  
10 transported to any such farm is for use in the operation of such  
11 farm;

12 (26) "Local log truck", a commercial motor vehicle which is  
13 registered pursuant to this chapter to operate as a motor vehicle  
14 on the public highways of this state, used exclusively in this  
15 state, used to transport harvested forest products, operated  
16 solely at a forested site and in an area extending not more than  
17 a one hundred-mile radius from such site, carries a load with  
18 dimensions not in excess of twenty-five cubic yards per two axles  
19 with dual wheels, and when operated on the national system of  
20 interstate and defense highways described in Title 23, Section  
21 103(e) of the United States Code, such vehicle shall not exceed  
22 the weight limits of section 304.180, does not have more than  
23 four axles, and does not pull a trailer which has more than two  
24 axles. Harvesting equipment which is used specifically for  
25 cutting, felling, trimming, delimbing, debarking, chipping,  
26 skidding, loading, unloading, and stacking may be transported on  
27 a local log truck. A local log truck may not exceed the limits  
28 required by law, however, if the truck does exceed such limits as  
29 determined by the inspecting officer, then notwithstanding any  
30 other provisions of law to the contrary, such truck shall be  
31 subject to the weight limits required by such sections as  
32 licensed for eighty thousand pounds;

33 (27) "Local log truck tractor", a commercial motor vehicle  
34 which is registered under this chapter to operate as a motor  
35 vehicle on the public highways of this state, used exclusively in  
36 this state, used to transport harvested forest products, operated  
37 solely at a forested site and in an area extending not more than  
38 a one hundred-mile radius from such site, operates with a weight  
39 not exceeding twenty-two thousand four hundred pounds on one axle  
40 or with a weight not exceeding forty-four thousand eight hundred

1 pounds on any tandem axle, and when operated on the national  
2 system of interstate and defense highways described in Title 23,  
3 Section 103(e) of the United States Code, such vehicle does not  
4 exceed the weight limits contained in section 304.180, and does  
5 not have more than three axles and does not pull a trailer which  
6 has more than two axles. Violations of axle weight limitations  
7 shall be subject to the load limit penalty as described for in  
8 sections 304.180 to 304.220;

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

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

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

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

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

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

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

38 (35) "Motor vehicle primarily for business use", any  
39 vehicle other than a recreational motor vehicle, motorcycle,  
40 motortricycle, or any commercial motor vehicle licensed for over

1 twelve thousand pounds:

2 (a) Offered for hire or lease; or

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

5 (36) "Motorcycle", a motor vehicle operated on two wheels;

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

12 (38) "Motortricycle", a motor vehicle operated on three  
13 wheels, including a motorcycle while operated with any  
14 conveyance, temporary or otherwise, requiring the use of a third  
15 wheel. A motortricycle shall not be included in the definition  
16 of all-terrain vehicle;

17 (39) "Municipality", any city, town or village, whether  
18 incorporated or not;

19 (40) "Nonresident", a resident of a state or country other  
20 than the state of Missouri;

21 (41) "Non-USA-std motor vehicle", a motor vehicle not  
22 originally manufactured in compliance with United States  
23 emissions or safety standards;

24 (42) "Operator", any person who operates or drives a motor  
25 vehicle;

26 (43) "Owner", any person, firm, corporation or association,  
27 who holds the legal title to a vehicle or in the event a vehicle  
28 is the subject of an agreement for the conditional sale or lease  
29 thereof with the right of purchase upon performance of the  
30 conditions stated in the agreement and with an immediate right of  
31 possession vested in the conditional vendee or lessee, or in the  
32 event a mortgagor of a vehicle is entitled to possession, then  
33 such conditional vendee or lessee or mortgagor shall be deemed  
34 the owner for the purpose of this law;

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

39 (45) "Rebuilder", a business that repairs or rebuilds motor  
40 vehicles owned by the rebuilder, but does not include

1 certificated common or contract carriers of persons or property;

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

7 (47) "Recreational motor vehicle", any motor vehicle  
8 designed, constructed or substantially modified so that it may be  
9 used and is used for the purposes of temporary housing quarters,  
10 including therein sleeping and eating facilities which are either  
11 permanently attached to the motor vehicle or attached to a unit  
12 which is securely attached to the motor vehicle. Nothing herein  
13 shall prevent any motor vehicle from being registered as a  
14 commercial motor vehicle if the motor vehicle could otherwise be  
15 so registered;

16 (48) "Recreational off-highway vehicle", any motorized  
17 vehicle manufactured and used exclusively for off-highway use  
18 which is [sixty] sixty-four inches or less in width, with an  
19 unladen dry weight of [one] two thousand [eight hundred fifty]  
20 pounds or less, traveling on four or more nonhighway tires, with  
21 a nonstraddle seat, and steering wheel, which may have access to  
22 ATV trails;

23 (49) "Rollback or car carrier", any vehicle specifically  
24 designed to transport wrecked, disabled or otherwise inoperable  
25 vehicles, when the transportation is directly connected to a  
26 wrecker or towing service;

27 (50) "Saddlemount combination", a combination of vehicles  
28 in which a truck or truck tractor tows one or more trucks or  
29 truck tractors, each connected by a saddle to the frame or fifth  
30 wheel of the vehicle in front of it. The "saddle" is a mechanism  
31 that connects the front axle of the towed vehicle to the frame or  
32 fifth wheel of the vehicle in front and functions like a fifth  
33 wheel kingpin connection. When two vehicles are towed in this  
34 manner the combination is called a "double saddlemount  
35 combination". When three vehicles are towed in this manner, the  
36 combination is called a "triple saddlemount combination";

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

40 (52) "Salvage vehicle", a motor vehicle, semitrailer, or

---

1 house trailer which:

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

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

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

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

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

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

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

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

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

38 (54) "Shuttle bus", a motor vehicle used or maintained by  
39 any person, firm, or corporation as an incidental service to  
40 transport patrons or customers of the regular business of such



1 person, firm, or corporation to and from the place of business of  
2 the person, firm, or corporation providing the service at no fee  
3 or charge. Shuttle buses shall not be registered as buses or as  
4 commercial motor vehicles;

5 (55) "Special mobile equipment", every self-propelled  
6 vehicle not designed or used primarily for the transportation of  
7 persons or property and incidentally operated or moved over the  
8 highways, including farm equipment, implements of husbandry, road  
9 construction or maintenance machinery, ditch-digging apparatus,  
10 stone crushers, air compressors, power shovels, cranes, graders,  
11 rollers, well-drillers and wood-sawing equipment used for hire,  
12 asphalt spreaders, bituminous mixers, bucket loaders, ditchers,  
13 leveling graders, finished machines, motor graders, road rollers,  
14 scarifiers, earth-moving carryalls, scrapers, drag lines,  
15 concrete pump trucks, rock-drilling and earth-moving equipment.  
16 This enumeration shall be deemed partial and shall not operate to  
17 exclude other such vehicles which are within the general terms of  
18 this section;

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

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

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

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

36 (60) "Trailer", any vehicle without motive power designed  
37 for carrying property or passengers on its own structure and for  
38 being drawn by a self-propelled vehicle, except those running  
39 exclusively on tracks, including a semitrailer or vehicle of the  
40 trailer type so designed and used in conjunction with a

1 self-propelled vehicle that a considerable part of its own weight  
2 rests upon and is carried by the towing vehicle. The term  
3 "trailer" shall not include cotton trailers as defined in  
4 subdivision (8) of this section and shall not include  
5 manufactured homes as defined in section 700.010;

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

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

15 (63) "Truck-trailer boat transporter combination", a boat  
16 transporter combination consisting of a straight truck towing a  
17 trailer using typically a ball and socket connection with the  
18 trailer axle located substantially at the trailer center of  
19 gravity rather than the rear of the trailer but so as to maintain  
20 a downward force on the trailer tongue;

21 (64) "Used parts dealer", a business that buys and sells  
22 used motor vehicle parts or accessories, but not including a  
23 business that sells only new, remanufactured or rebuilt parts.  
24 "Business" does not include isolated sales at a swap meet of less  
25 than three days;

26 (65) "Utility vehicle", any motorized vehicle manufactured  
27 and used exclusively for off-highway use which is sixty-three  
28 inches or less in width, with an unladen dry weight of one  
29 thousand eight hundred fifty pounds or less, traveling on four or  
30 six wheels, to be used primarily for landscaping, lawn care, or  
31 maintenance purposes;

32 (66) "Vanpool", any van or other motor vehicle used or  
33 maintained by any person, group, firm, corporation, association,  
34 city, county or state agency, or any member thereof, for the  
35 transportation of not less than eight nor more than forty-eight  
36 employees, per motor vehicle, to and from their place of  
37 employment; however, a vanpool shall not be included in the  
38 definition of the term bus or commercial motor vehicle as defined  
39 by subdivisions (6) and (7) of this section, nor shall a vanpool  
40 driver be deemed a chauffeur as that term is defined by section

1 302.010; nor shall use of a vanpool vehicle for ride-sharing  
2 arrangements, recreational, personal, or maintenance uses  
3 constitute an unlicensed use of the motor vehicle, unless used  
4 for monetary profit other than for use in a ride-sharing  
5 arrangement;

6 (67) "Vehicle", any mechanical device on wheels, designed  
7 primarily for use, or used, on highways, except motorized  
8 bicycles, vehicles propelled or drawn by horses or human power,  
9 or vehicles used exclusively on fixed rails or tracks, or cotton  
10 trailers or motorized wheelchairs operated by handicapped  
11 persons;

12 (68) "Wrecker" or "tow truck", any emergency commercial  
13 vehicle equipped, designed and used to assist or render aid and  
14 transport or tow disabled or wrecked vehicles from a highway,  
15 road, street or highway rights-of-way to a point of storage or  
16 repair, including towing a replacement vehicle to replace a  
17 disabled or wrecked vehicle;

18 (69) "Wrecker or towing service", the act of transporting,  
19 towing or recovering with a wrecker, tow truck, rollback or car  
20 carrier any vehicle not owned by the operator of the wrecker, tow  
21 truck, rollback or car carrier for which the operator directly or  
22 indirectly receives compensation or other personal gain."and  
23  
24  
25

26 Further amend said bill by amending the title, enacting clause, and intersectional references  
27 accordingly.