

House \_\_\_\_\_ Amendment NO. \_\_\_\_\_

Offered By

1 AMEND House Committee Substitute for House Bill Nos. 1235 & 1214, Page 1, Lines 2-3 in the  
2 Title, by deleting the words "weight limitations for"; and  
3

4 Further amend said bill, Page 1, Section A, Line 2, by inserting after all of said section and line the  
5 following:  
6

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

9 (1) "All-terrain vehicle", any motorized vehicle manufactured and used exclusively  
10 for off-highway use which is 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 more nonhighway tires, with a seat  
12 designed to be straddled by the operator, or with a seat designed to carry more than one person, and  
13 handlebars for steering control;

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

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

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

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

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

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

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

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

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

34 (11) "Driveaway operation":

35 (a) The movement of a motor vehicle or trailer by any person or motor carrier other  
36 than a dealer over any public highway, under its own power singly, or in a fixed combination of two

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1 or more vehicles, for the purpose of delivery for sale or for delivery either before or after sale;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

47 (25) "Local commercial motor vehicle", a commercial motor vehicle whose  
48 operations are confined solely to a municipality and that area extending not more than fifty miles

therefrom, or a commercial motor vehicle whose property-carrying operations are confined solely to the transportation of property owned by any person who is the owner or operator of such vehicle to or from a farm owned by such person or under the person's control by virtue of a landlord and tenant lease; provided that any such property transported to any such farm is for use in the operation of such farm;

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

(27) "Local log truck tractor", a commercial motor vehicle which is registered under this chapter to operate as a motor vehicle on the public highways of this state, used exclusively in this state, used to transport any form or type of harvested forest products, operated solely at a forested site and in an area extending not more than a [one] two hundred-mile radius from such site, operates with a weight not exceeding twenty-two thousand four hundred pounds on one axle or with a weight not exceeding forty-four thousand eight hundred pounds on any tandem axle, and when operated on the national system of interstate and defense highways described in Title 23, Section 103(e) of the United States Code, such vehicle does not exceed the weight limits contained in section 304.180, and does not have more than three axles and does not pull a trailer which has more than two axles. Violations of axle weight limitations shall be subject to the load limit penalty as described for in sections 304.180 to 304.220;

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

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

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

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

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

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

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

(a) Offered for hire or lease; or

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

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

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

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

(38) "Municipality", any city, town or village, whether incorporated or not;

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

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

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

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

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

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

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

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

(47) "Recreational off-highway vehicle", any motorized vehicle manufactured and used exclusively for off-highway use which is sixty-four inches or less in width, with an unladen dry weight of two thousand pounds or less, traveling on four or more nonhighway tires, with a nonstraddle seat, and steering wheel, which may have access to ATV trails;

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

(49) "Saddlemount combination", a combination of vehicles in which a truck or truck tractor tows one or more trucks or truck tractors, each connected by a saddle to the frame or fifth wheel of the vehicle in front of it. The "saddle" is a mechanism that connects the front axle of the

1 towed vehicle to the frame or fifth wheel of the vehicle in front and functions like a fifth wheel  
 2 kingpin connection. When two vehicles are towed in this manner the combination is called a "double  
 3 saddlemount combination". When three vehicles are towed in this manner, the combination is called  
 4 a "triple saddlemount combination";

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

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

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

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

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

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

19 (e) Is abandoned property which is titled pursuant to section 304.155 or section  
 20 304.157 and designated with the words "salvage/abandoned property". The total cost of repairs to  
 21 rebuild or reconstruct the vehicle shall not include the cost of repairing, replacing, or reinstalling  
 22 inflatable safety restraints, tires, sound systems, or damage as a result of hail, or any sales tax on  
 23 parts or materials to rebuild or reconstruct 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 recognized compilation of retail  
 26 values, including automated databases, or from publications commonly used by the automotive and  
 27 insurance industries to establish the values of motor vehicles;

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

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

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

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

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

42 (55) "Special mobile equipment", every self-propelled vehicle not designed or used  
 43 primarily for the transportation of persons or property and incidentally operated or moved over the  
 44 highways, including farm equipment, implements of husbandry, road construction or maintenance  
 45 machinery, ditch-digging apparatus, stone crushers, air compressors, power shovels, cranes, graders,  
 46 rollers, well-drillers and wood-sawing equipment used for hire, asphalt spreaders, bituminous  
 47 mixers, bucket loaders, ditchers, leveling graders, finished machines, motor graders, road rollers,  
 48 scarifiers, earth-moving carryalls, scrapers, drag lines, concrete pump trucks, rock-drilling and

1 earth-moving equipment. This enumeration shall be deemed partial and shall not operate to exclude  
2 other such vehicles which are within the general terms of this section;

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

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

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

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

14 (60) "Trailer", any vehicle without motive power designed for carrying property or  
15 passengers on its own structure and for being drawn by a self-propelled vehicle, except those running  
16 exclusively on tracks, including a semitrailer or vehicle of the trailer type so designed and used in  
17 conjunction with a self-propelled vehicle that a considerable part of its own weight rests upon and is  
18 carried by the towing vehicle. The term "trailer" shall not include cotton trailers as defined in  
19 subdivision (8) of this section and shall not include manufactured homes as defined in section  
20 700.010;

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

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

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

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

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

39 (66) "Vanpool", any van or other motor vehicle used or maintained by any person,  
40 group, firm, corporation, association, city, county or state agency, or any member thereof, for the  
41 transportation of not less than eight nor more than forty-eight employees, per motor vehicle, to and  
42 from their place of employment; however, a vanpool shall not be included in the definition of the  
43 term bus or commercial motor vehicle as defined by subdivisions (6) and (7) of this section, nor shall  
44 a vanpool driver be deemed a chauffeur as that term is defined by section 303.020; nor shall use of a  
45 vanpool vehicle for ride-sharing arrangements, recreational, personal, or maintenance uses constitute  
46 an unlicensed use of the motor vehicle, unless used for monetary profit other than for use in a  
47 ride-sharing arrangement;

48 (67) "Vehicle", any mechanical device on wheels, designed primarily for use, or

1 used, on highways, except motorized bicycles, vehicles propelled or drawn by horses or human  
2 power, or vehicles used exclusively on fixed rails or tracks, or cotton trailers or motorized  
3 wheelchairs operated by handicapped persons;

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

8 (69) "Wrecker or towing service", the act of transporting, towing or recovering with a  
9 wrecker, tow truck, rollback or car carrier any vehicle not owned by the operator of the wrecker, tow  
10 truck, rollback or car carrier for which the operator directly or indirectly receives compensation or  
11 other personal gain."; and

12  
13 Further amend said bill, page and section, Line123, by inserting after the word "Highways." the  
14 following:

15  
16 "As used in this section, "agricultural product" means an agricultural, horticultural,  
17 viticultural, or vegetable product, growing of grapes that will be processed into wine, bees, honey,  
18 fish or other aquacultural product, planting seed, livestock, a livestock product, a forestry product,  
19 poultry or a poultry product, either in its natural or processed state, that has been produced,  
20 processed, or otherwise had value added to it in this state."; and

21  
22 Further amend said bill by amending the title, enacting clause, and intersectional references  
23 accordingly.  
24