

House _____ Amendment NO. _____

Offered By _____

1 AMEND House Bill No. 570, Page 3, Section 300.155, Line 57, by inserting after all of said section and line
2 the following:

3
4 "301.010. As used in this chapter and sections 304.010 to 304.040, 304.120 to 304.260, and sections
5 307.010 to 307.175, the following terms mean:

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

9 (a) A seat designed to be straddled by the operator, and handlebars for steering control; or

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

12 (2) "Autocycle", a three-wheeled motor vehicle which the drivers and passengers ride in a partially
13 or completely enclosed nonstraddle seating area, that is designed to be controlled with a steering wheel and
14 pedals, and that has met applicable Department of Transportation National Highway Traffic Safety
15 Administration requirements or federal motorcycle safety standards;

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

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

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

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

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

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

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

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

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

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

37 (13) "Driveaway operation":

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

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

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

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

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

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

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

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

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

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

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

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

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

(24) "Junk vehicle", a vehicle which:

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

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

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

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

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

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

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

(27) "Local commercial motor vehicle", a commercial motor vehicle whose operations are confined 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;

(28) "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^[5] ; used exclusively in this state^[5] ; used to transport harvested forest products, operated solely at a forested site and in an area extending not more than a ~~[one hundred]~~ one hundred fifty mile radius from such site^[5] ~~; carries a load with dimensions not in excess of twenty-five cubic yards per two axles with dual wheels,~~ ; operated 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, except the front steering axle shall not exceed fifteen thousand pounds or the gross vehicle rating set by the manufacturer, with a total weight not to exceed one hundred five thousand pounds; and when operated on the national system of interstate and defense highways described in 23 U.S.C. Section 103, as amended, or outside the ~~[one hundred]~~ one hundred fifty mile radius from such site with an extended distance local log truck permit, such vehicle ~~[shall]~~ does 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 three 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]~~ shall 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]~~ violations of axle weight limitations shall be subject to the load limit penalty as described in sections 304.180 to 304.220;

(29) "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^[5] ; used exclusively in this state^[5] ; used to transport harvested forest products^[5] ; operated at a forested site and in an area extending not more than a ~~[one hundred]~~ one hundred fifty mile radius from such site^[5] ~~; operates]~~ ; operated 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, except the front steering axle shall not exceed fifteen thousand pounds or the gross vehicle weight rating set by the manufacturer with a total weight not to exceed one hundred five thousand pounds; and when operated on the national system of interstate and defense highways described in 23 U.S.C. Section 103, as amended, or outside the ~~[one hundred]~~ one hundred fifty mile radius from such site with an extended distance local log truck permit, 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 three axles. Violations of axle weight limitations shall be subject to the load limit penalty as described for in sections 304.180 to 304.220;

(30) "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;

(31) "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;

(32) "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;

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

(34) "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;

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

(36) "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;

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

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

5 (39) "Motortricycle", a motor vehicle upon which the operator straddles or sits astride that is
6 designed to be controlled by handle bars and is operated on three wheels, including a motorcycle while
7 operated with any conveyance, temporary or otherwise, requiring the use of a third wheel. A motortricycle
8 shall not be included in the definition of all-terrain vehicle;

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

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

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

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

14 (44) "Owner", any person, firm, corporation or association, who holds the legal title to a vehicle or
15 who has executed a buyer's order or retail installment sales contract with a motor vehicle dealer licensed
16 under sections 301.550 to 301.580 for the purchase of a vehicle with an immediate right of possession vested
17 in the transferee, or in the event a vehicle is the subject of an agreement for the conditional sale or lease
18 thereof with the right of purchase upon performance of the conditions stated in the agreement and with an
19 immediate right of possession vested in the conditional vendee or lessee, or in the event a mortgagor of a
20 vehicle is entitled to possession, then such conditional vendee or lessee or mortgagor shall be deemed the
21 owner;

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

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

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

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

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

38 (50) "Recreational trailer", any trailer designed, constructed, or substantially modified so that it may
39 be used and is used for the purpose of temporary housing quarters, including therein sleeping or eating
40 facilities, which can be temporarily attached to a motor vehicle or attached to a unit which is securely
41 attached to a motor vehicle;

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

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

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

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

53 (a) Was damaged during a year that is no more than six years after the manufacturer's model year

1 designation for such vehicle to the extent that the total cost of repairs to rebuild or reconstruct the vehicle to
 2 its condition immediately before it was damaged for legal operation on the roads or highways exceeds eighty
 3 percent of the fair market value of the vehicle immediately preceding the time it was damaged;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

1 vehicle that a considerable part of its own weight rests upon and is carried by the towing vehicle. The term
 2 trailer shall not include cotton trailers as defined in this section and shall not include manufactured homes as
 3 defined in section 700.010;

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

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

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

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

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

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

22 (71) "Vanpool", any van or other motor vehicle used or maintained by any person, group, firm,
 23 corporation, association, city, county or state agency, or any member thereof, for the transportation of not less
 24 than eight nor more than forty-eight employees, per motor vehicle, to and from their place of employment;
 25 however, a vanpool shall not be included in the definition of the term bus or commercial motor vehicle as
 26 defined in this section, nor shall a vanpool driver be deemed a chauffeur as that term is defined by section
 27 303.020; nor shall use of a vanpool vehicle for ride-sharing arrangements, recreational, personal, or
 28 maintenance uses constitute an unlicensed use of the motor vehicle, unless used for monetary profit other
 29 than for use in a ride-sharing arrangement;

30 (72) "Vehicle", any mechanical device on wheels, designed primarily for use, or used, on highways,
 31 except motorized bicycles, vehicles propelled or drawn by horses or human power, or vehicles used
 32 exclusively on fixed rails or tracks, or cotton trailers or motorized wheelchairs operated by handicapped
 33 persons;

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

38 (74) "Wrecker or towing service", the act of transporting, towing or recovering with a wrecker, tow
 39 truck, rollback or car carrier any vehicle not owned by the operator of the wrecker, tow truck, rollback or car
 40 carrier for which the operator directly or indirectly receives compensation or other personal gain.

41 304.240. 1. Any person, firm, corporation, partnership or association violating any of the provisions
 42 of sections 304.170 to 304.230 shall be deemed guilty of a misdemeanor and upon conviction thereof shall be
 43 punished by a fine of not less than five dollars or by confinement in a county jail for not more than twelve
 44 months, or by both the fine and confinement; provided, however, that where load limits as defined in sections
 45 304.180 to 304.220 have been violated, the fine shall be two cents for each pound of excess weight up to and
 46 including five hundred, and five cents for each pound of excess weight above five hundred and not exceeding
 47 one thousand, and ten cents for each pound in excess weight above one thousand; provided that, when any
 48 vehicle is being operated under a special permit as provided in section 304.200, the term "excess weight"
 49 means only weight in excess of the amount permitted in the permit as issued. The court may, in its discretion,
 50 cause to be impounded the motor vehicle operated by any person violating the provisions of this section until
 51 such time as the fine and cost assessed by the court under this section is paid.

52 2. Notwithstanding subsection 1 of this section, the fine for a load-limit violation under sections
 53 304.180 to 304.220 involving a local log truck or a local log truck tractor, as such terms are defined in section

1 301.010, shall be as follows:

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

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

6 (3) If the weight exceeds the limit by ten thousand pounds or more, the fine shall be fifty cents for
7 each pound of excess weight."; and

8
9 Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.