

SECOND REGULAR SESSION

HOUSE BILL NO. 1962

101ST GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE COPELAND.

3616H.011

DANA RADEMAN MILLER, Chief Clerk

AN ACT

To repeal sections 301.010 and 304.240, RSMo, and to enact in lieu thereof two new sections relating to log truck weight limitations, with penalty provisions.

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

Section A. Sections 301.010 and 304.240, RSMo, are repealed and two new sections
2 enacted in lieu thereof, to be known as sections 301.010 and 304.240, to read as follows:

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

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

6 (a) A seat designed to be straddled by the operator, and handlebars for steering
7 control, but excluding an electric bicycle; or

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

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

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

EXPLANATION — Matter enclosed in bold-faced brackets ~~thus~~ in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

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

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

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

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

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

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

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

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

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

39 (13) "Driveaway operation":

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

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

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

53 (14) "Dromedary", a box, deck, or plate mounted behind the cab and forward of the
54 fifth wheel on the frame of the power unit of a truck tractor-semitrailer combination. A truck

55 tractor equipped with a dromedary may carry part of a load when operating independently or
56 in a combination with a semitrailer;

57 (15) "Electric bicycle", a bicycle equipped with fully operable pedals, a saddle or seat
58 for the rider, and an electric motor of less than 750 watts that meets the requirements of one of
59 the following three classes:

60 (a) "Class 1 electric bicycle", an electric bicycle equipped with a motor that provides
61 assistance only when the rider is pedaling and that ceases to provide assistance when the
62 bicycle reaches the speed of twenty miles per hour;

63 (b) "Class 2 electric bicycle", an electric bicycle equipped with a motor that may be
64 used exclusively to propel the bicycle and that is not capable of providing assistance when the
65 bicycle reaches the speed of twenty miles per hour; or

66 (c) "Class 3 electric bicycle", an electric bicycle equipped with a motor that provides
67 assistance only when the rider is pedaling and that ceases to provide assistance when the
68 bicycle reaches the speed of twenty-eight miles per hour;

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

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

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

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

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

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

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

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

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

85 (25) "Junk vehicle", a vehicle which:

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

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

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

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

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

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

102

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

105 (28) "Local commercial motor vehicle", a commercial motor vehicle whose
106 operations are confined to a municipality and that area extending not more than fifty miles
107 therefrom, or a commercial motor vehicle whose property-carrying operations are confined
108 solely to the transportation of property owned by any person who is the owner or operator of
109 such vehicle to or from a farm owned by such person or under the person's control by virtue
110 of a landlord and tenant lease; provided that any such property transported to any such farm is
111 for use in the operation of such farm;

112 (29) "Local log truck", a commercial motor vehicle which is registered pursuant to
113 this chapter to operate as a motor vehicle on the public highways of this state~~[-]~~; used
114 exclusively in this state~~[-]~~; used to transport harvested forest products, operated solely at a
115 forested site and in an area extending not more than a one hundred **fifty** mile radius from such
116 site~~[-, carries a load with dimensions not in excess of twenty five cubic yards per two axles~~
117 ~~with dual wheels,]; operated with a weight not exceeding twenty-two thousand four~~
118 **hundred pounds on one axle or with a weight not exceeding forty-four thousand eight**
119 **hundred pounds on any tandem axle, except the front steering axle shall not exceed**
120 **fifteen thousand pounds or the gross vehicle rating set by the manufacturer, with a total**
121 **weight not to exceed one hundred five thousand pounds;** and when operated on the
122 national system of interstate and defense highways described in 23 U.S.C. Section 103, as
123 amended, or outside the one hundred **fifty** mile radius from such site with an extended
124 distance local log truck permit, such vehicle ~~[shall]~~ **does** not exceed the weight limits of
125 section 304.180, does not have more than four axles, and does not pull a trailer which has
126 more than three axles. Harvesting equipment which is used specifically for cutting, felling,

127 trimming, delimiting, debarking, chipping, skidding, loading, unloading, and stacking may be
128 transported on a local log truck. A local log truck ~~[may]~~ **shall** not exceed the limits required
129 by law, however, if the truck does exceed such limits as determined by the inspecting officer,
130 then notwithstanding any other provisions of law to the contrary, ~~[such truck shall be subject~~
131 ~~to the weight limits required by such sections as licensed for eighty thousand pounds]~~
132 **violations of axle weight limitations shall be subject to the load limit penalty as**
133 **described in sections 304.180 to 304.220;**

134 (30) "Local log truck tractor", a commercial motor vehicle which is registered under
135 this chapter to operate as a motor vehicle on the public highways of this state~~[-];~~ used
136 exclusively in this state~~[-];~~ used to transport harvested forest products~~[-];~~ operated at a
137 forested site and in an area extending not more than a one hundred **fifty** mile radius from such
138 site~~[-operates];~~ **operated** with a weight not exceeding twenty-two thousand four hundred
139 pounds on one axle or with a weight not exceeding forty-four thousand eight hundred pounds
140 on any tandem axle, **except the front steering axle shall not exceed fifteen thousand**
141 **pounds or the gross vehicle weight rating set by the manufacturer with a total weight**
142 **not to exceed one hundred five thousand pounds;** and when operated on the national
143 system of interstate and defense highways described in 23 U.S.C. Section 103, as amended, or
144 outside the one hundred **fifty** mile radius from such site with an extended distance local log
145 truck permit, such vehicle does not exceed the weight limits contained in section 304.180, and
146 does not have more than three axles and does not pull a trailer which has more than three
147 axles. Violations of axle weight limitations shall be subject to the load limit penalty as
148 described for in sections 304.180 to 304.220;

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

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

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

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

- 163 (35) "Motor change vehicle", a vehicle manufactured prior to August, 1957, which
164 receives a new, rebuilt or used engine, and which used the number stamped on the original
165 engine as the vehicle identification number;
- 166 (36) "Motor vehicle", any self-propelled vehicle not operated exclusively upon tracks,
167 except farm tractors and electric bicycles;
- 168 (37) "Motor vehicle primarily for business use", any vehicle other than a recreational
169 motor vehicle, motorcycle, motortricycle, or any commercial motor vehicle licensed for over
170 twelve thousand pounds:
- 171 (a) Offered for hire or lease; or
172 (b) The owner of which also owns ten or more such motor vehicles;
- 173 (38) "Motorcycle", a motor vehicle operated on two wheels;
- 174 (39) "Motorized bicycle", any two-wheeled or three-wheeled device having an
175 automatic transmission and a motor with a cylinder capacity of not more than fifty cubic
176 centimeters, which produces less than three gross brake horsepower, and is capable of
177 propelling the device at a maximum speed of not more than thirty miles per hour on level
178 ground, but excluding an electric bicycle;
- 179 (40) "Motortricycle", a motor vehicle upon which the operator straddles or sits astride
180 that is designed to be controlled by handle bars and is operated on three wheels, including a
181 motorcycle while operated with any conveyance, temporary or otherwise, requiring the use of
182 a third wheel, but excluding an electric bicycle. A motortricycle shall not be included in the
183 definition of all-terrain vehicle;
- 184 (41) "Municipality", any city, town or village, whether incorporated or not;
- 185 (42) "Nonresident", a resident of a state or country other than the state of Missouri;
- 186 (43) "Non-USA-std motor vehicle", a motor vehicle not originally manufactured in
187 compliance with United States emissions or safety standards;
- 188 (44) "Operator", any person who operates or drives a motor vehicle;
- 189 (45) "Owner", any person, firm, corporation or association, who holds the legal title
190 to a vehicle or who has executed a buyer's order or retail installment sales contract with a
191 motor vehicle dealer licensed under sections 301.550 to 301.580 for the purchase of a vehicle
192 with an immediate right of possession vested in the transferee, or in the event a vehicle is the
193 subject of an agreement for the conditional sale or lease thereof with the right of purchase
194 upon performance of the conditions stated in the agreement and with an immediate right of
195 possession vested in the conditional vendee or lessee, or in the event a mortgagor of a vehicle
196 is entitled to possession, then such conditional vendee or lessee or mortgagor shall be deemed
197 the owner;

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

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

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

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

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

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

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

226 (53) "Saddlemount combination", a combination of vehicles in which a truck or truck
227 tractor tows one or more trucks or truck tractors, each connected by a saddle to the frame or
228 fifth wheel of the vehicle in front of it. The "saddle" is a mechanism that connects the front
229 axle of the towed vehicle to the frame or fifth wheel of the vehicle in front and functions like
230 a fifth wheel kingpin connection. When two vehicles are towed in this manner the
231 combination is called a "double saddlemount combination". When three vehicles are towed
232 in this manner, the combination is called a "triple saddlemount combination";

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

235 (55) "Salvage vehicle", a motor vehicle, semitrailer, or house trailer which:

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

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

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

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

247 (e) Is abandoned property which is titled pursuant to section 304.155 or section
248 304.157 and designated with the words "salvage/abandoned property". The total cost of
249 repairs to rebuild or reconstruct the vehicle shall not include the cost of repairing, replacing,
250 or reinstalling inflatable safety restraints, tires, sound systems, or damage as a result of hail,
251 or any sales tax on parts or materials to rebuild or reconstruct the vehicle. For purposes of
252 this definition, "fair market value" means the retail value of a motor vehicle as:

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

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

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

261 (56) "School bus", any motor vehicle used solely to transport students to or from
262 school or to transport students to or from any place for educational purposes;

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

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

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

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

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

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

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

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

297 (65) "Trailer", any vehicle without motive power designed for carrying property or
298 passengers on its own structure and for being drawn by a self-propelled vehicle, except those
299 running exclusively on tracks, including a semitrailer or vehicle of the trailer type so designed
300 and used in conjunction with a self-propelled vehicle that a considerable part of its own
301 weight rests upon and is carried by the towing vehicle. The term trailer shall not include
302 cotton trailers as defined in this section and shall not include manufactured homes as defined
303 in section 700.010;

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

306 (67) "Truck", a motor vehicle designed, used, or maintained for the transportation of
307 property;

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

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

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

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

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

334 (73) "Vehicle", any mechanical device on wheels, designed primarily for use, or used,
335 on highways, except motorized bicycles, electric bicycles, vehicles propelled or drawn by
336 horses or human power, or vehicles used exclusively on fixed rails or tracks, or cotton trailers
337 or motorized wheelchairs operated by handicapped persons;

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

342 (75) "Wrecker or towing service", the act of transporting, towing or recovering with a
343 wrecker, tow truck, rollback or car carrier any vehicle not owned by the operator of the

344 wrecker, tow truck, rollback or car carrier for which the operator directly or indirectly
345 receives compensation or other personal gain.

304.240. 1. Any person, firm, corporation, partnership or association violating any of
2 the provisions of sections 304.170 to 304.230 shall be deemed guilty of a misdemeanor and
3 upon conviction thereof shall be punished by a fine of not less than five dollars or by
4 confinement in a county jail for not more than twelve months, or by both the fine and
5 confinement; provided, however, that where load limits as defined in sections 304.180 to
6 304.220 have been violated, the fine shall be two cents for each pound of excess weight up to
7 and including five hundred, and five cents for each pound of excess weight above five
8 hundred and not exceeding one thousand, and ten cents for each pound in excess weight
9 above one thousand; provided that, when any vehicle is being operated under a special permit
10 as provided in section 304.200, the term "excess weight" means only weight in excess of the
11 amount permitted in the permit as issued. The court may, in its discretion, cause to be
12 impounded the motor vehicle operated by any person violating the provisions of this section
13 until such time as the fine and cost assessed by the court under this section is paid.

14 **2. Notwithstanding subsection 1 of this section, the fine for a load-limit violation**
15 **under sections 304.180 to 304.220 involving a local log truck or a local log truck tractor,**
16 **as such terms are defined in section 301.010, shall be as follows:**

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

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

22 **(3) If the weight exceeds the limit by ten thousand pounds or more, the fine shall**
23 **be fifty cents for each pound of excess weight.**

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