

SECOND REGULAR SESSION

SENATE BILL NO. 1050

99TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR SCHATZ.

Read 1st time February 28, 2018, and ordered printed.

ADRIANE D. CROUSE, Secretary.

6654S.011

AN ACT

To repeal sections 108.120, 137.555, 227.240, 292.606, 301.010, 301.020, 301.055, 301.130, 301.350, 304.001, 304.005, 304.044, and 307.175, RSMo, and to enact in lieu thereof fifteen new sections relating to transportation, with existing penalty provisions and an emergency clause for a certain section.

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

Section A. Sections 108.120, 137.555, 227.240, 292.606, 301.010, 301.020, 301.055, 301.130, 301.350, 304.001, 304.005, 304.044, and 307.175, RSMo, are repealed and fifteen new sections enacted in lieu thereof, to be known as sections 108.120, 137.555, 227.240, 227.541, 227.542, 292.606, 301.010, 301.020, 301.055, 301.130, 301.350, 304.001, 304.005, 304.044, and 307.175, to read as follows:

108.120. 1. The county commissions of the counties of this state are hereby authorized to issue bonds for and on behalf of their respective counties for the construction, reconstruction, improvement, maintenance and repair of any and all public roads, highways, bridges [and], culverts, **streets, avenues, or alleys** within such county, including the payment of any cost, judgment and expense for property, or rights in property, acquired by purchase or eminent domain, as may be provided by law, in such amount and such manner as may be provided by the general law authorizing the issuance of bonds by counties.

2. The proceeds of all bonds issued under the provisions of this section shall be paid into the county treasury where they shall be kept as a separate fund to be known as "The Road Bond Construction Fund" and such proceeds shall be used only for the purpose mentioned herein. [Such funds may be used in the construction, reconstruction, improvement, maintenance and repair of any street, avenue, road or alley in any incorporated city, town or village if such street,

EXPLANATION—Matter enclosed in bold-faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.

15 avenue, road or alley or any part thereof shall form a part of a continuous road,
16 highway, bridge or culvert of said county leading into or through such city, town
17 or village.] **The county may contract with any other political subdivision**
18 **to share the proceeds of such bonds to be used for the purposes**
19 **authorized.**

137.555. In addition to other levies authorized by law, the county
2 commission in counties not adopting an alternative form of government and the
3 proper administrative body in counties adopting an alternative form of
4 government, in their discretion may levy an additional tax, not exceeding
5 thirty-five cents on each one hundred dollars assessed valuation, all of such tax
6 to be collected and turned into the county treasury, where it shall be known and
7 designated as "The Special Road and Bridge Fund" to be used for road and bridge
8 purposes and for no other purpose whatever; except that the term "road and
9 bridge purposes" may include certain storm water control projects off rights of
10 way that are directly related to the construction of roads and bridges, in any
11 county of the first classification without a charter form of government with a
12 population of at least ninety thousand inhabitants but not more than one
13 hundred thousand inhabitants, in any county of the first classification without
14 a charter form of government with a population of at least two hundred thousand
15 inhabitants, in any county of the first classification without a charter form of
16 government and bordered by one county of the first classification and one county
17 of the second classification or in any county of the first classification with a
18 charter form of government and containing part of a city with a population of
19 three hundred thousand or more inhabitants; provided, however, that all that
20 part or portion of such tax which shall arise from and be collected and paid upon
21 any property lying and being within any special road district shall be paid into
22 the county treasury and four-fifths of such part or portion of such tax so arising
23 from and collected and paid upon any property lying and being within any such
24 special road district shall be placed to the credit of such special road district from
25 which it arose and shall be paid out to such special road district upon warrants
26 of the county commission, in favor of the commissioners or treasurer of the
27 district as the case may be; provided further, that the part of such special road
28 and bridge tax arising from and paid upon property not situated in any special
29 road district and the one-fifth part retained in the county treasury may, in the
30 discretion of the county commission **and pursuant to a written contract**, be
31 **shared with any other political subdivision to be used [in] for road and**

32 **bridge purposes within the county, including but not limited to**
33 **constructing**, improving or repairing [any street in any incorporated city or
34 village in the county, if such street shall form a part of a continuous highway of
35 such county leading through such city or village] **streets, avenues, or alleys**
36 **of such political subdivision.**

227.240. 1. The location and removal of all telephone, cable television,
2 and electric light and power transmission lines, poles, wires, and conduits and all
3 pipelines and tramways, erected or constructed, or hereafter to be erected or
4 constructed by any corporation, municipality, public water supply district, sewer
5 district, association or persons, within the right-of-way of any state highway,
6 insofar as the public travel and traffic is concerned, and insofar as the same may
7 interfere with the construction or maintenance of any such highway, shall be
8 under the control and supervision of the state highways and transportation
9 commission.

10 2. A cable television corporation or company shall be permitted to place
11 its lines within the right-of-way of any state highway, consistent with the rules
12 and regulations of the state highways and transportation commission. The state
13 highways and transportation commission shall establish a system for receiving
14 and resolving complaints with respect to cable television lines placed in, or
15 removed from, the right-of-way of a state highway.

16 3. **The department of transportation utility corridor established**
17 **for the placement of utility facilities on the right-of-way of highways in**
18 **the state highway system shall be up to twelve feet in width when space**
19 **is reasonably available, with the location of the utility corridor to be**
20 **determined by the state highways and transportation commission. The**
21 **location, construction, maintenance, removal, and relocation of any**
22 **utility facility within the utility corridor or the right-of-way of any**
23 **highway in the state highway system due to the implementation of this**
24 **subsection shall be in accordance with subsections 1 and 4 of this**
25 **section. The commission shall promulgate rules setting forth a**
26 **standardized statewide system for requesting and issuing variances to**
27 **requirements set forth in this section.**

28 4. The commission or some officer selected by the commission shall serve
29 a written notice upon the entity, person or corporation owning or maintaining any
30 such lines, poles, wires, conduits, pipelines, or tramways, which notice shall
31 contain a plan or chart indicating the places on the right-of-way at which such

32 lines, poles, wires, conduits, pipelines or tramways may be maintained. The
33 notice shall also state the time when the work of hard surfacing said roads is
34 proposed to commence, and shall further state that a hearing shall be had upon
35 the proposed plan of location and matters incidental thereto, giving the place and
36 date of such hearing. Immediately after such hearing the said owner shall be
37 given a notice of the findings and orders of the commission and shall be given a
38 reasonable time thereafter to comply therewith; provided, however, that the effect
39 of any change ordered by the commission shall not be to remove all or any part
40 of such lines, poles, wires, conduits, pipelines or tramways from the right-of-way
41 of the highway. The removal of the same shall be made at the cost and expense
42 of the owners thereof unless otherwise provided by said commission, and in the
43 event of the failure of such owners to remove the same at the time so determined
44 they may be removed by the state highways and transportation commission, or
45 under its direction, and the cost thereof collected from such owners, and such
46 owners shall not be liable in any way to any person for the placing and
47 maintaining of such lines, poles, wires, conduits, pipelines and tramways at the
48 places prescribed by the commission.

49 [4.] 5. The commission is authorized in the name of the state of Missouri
50 to institute and maintain, through the attorney general, such suits and actions
51 as may be necessary to enforce the provisions of this section. Any corporation,
52 association or the officers or agents of such corporations or associations, or any
53 other person who shall erect or maintain any such lines, poles, wires, conduits,
54 pipelines or tramways, within the right-of-way of such roads which are
55 hard-surfaced, which are not in accordance with such orders of the commission,
56 shall be deemed guilty of a misdemeanor.

**227.541. The portion of Interstate 70 from Rangeline Street
2 continuing west to Business Loop 70 in Boone County shall be
3 designated as "Highway Patrol Sgt. Benjamin Booth Memorial
4 Highway". The department of transportation shall erect and maintain
5 appropriate signs designating such highway, with the costs to be paid
6 by private donations.**

**227.542. The portion of Interstate Highway 70 from the eastern
2 edge of the intersection of U.S. Highway 63 and Interstate 70 continuing
3 west to Rangeline Street in Boone County shall be designated as
4 "Sheriff Roger I. Wilson Memorial Highway". The department of
5 transportation shall erect and maintain appropriate signs designating**

6 such highway, with the costs to be paid by private donations.

292.606. 1. Fees shall be collected for a period of six years from August
2 28, [2012] **2018**.

3 2. (1) Any employer required to report under subsection 1 of section
4 292.605, except local governments and family-owned farm operations, shall
5 submit an annual fee to the commission of one hundred dollars along with the
6 Tier II form. Owners or operators of petroleum retail facilities shall pay a fee of
7 no more than fifty dollars for each such facility. Any person, firm or corporation
8 selling, delivering or transporting petroleum or petroleum products and whose
9 primary business deals with petroleum products or who is covered by the
10 provisions of chapter 323, if such person, firm or corporation is paying fees under
11 the provisions of the federal hazardous materials transportation registration and
12 fee assessment program, shall deduct such federal fees from those fees owed to
13 the state under the provisions of this subsection. If the federal fees exceed or are
14 equal to what would otherwise be owed under this subsection, such employer
15 shall not be liable for state fees under this subsection. In relation to petroleum
16 products "primary business" shall mean that the person, firm or corporation shall
17 earn more than fifty percent of hazardous chemical revenues from the sale,
18 delivery or transport of petroleum products. For the purpose of calculating fees,
19 all grades of gasoline are considered to be one product, all grades of heating oils,
20 diesel fuels, kerosenes, naphthas, aviation turbine fuel, and all other heavy
21 distillate products except for grades of gasoline are considered to be one product,
22 and all varieties of motor lubricating oil are considered to be one product. For
23 the purposes of this section "facility" shall mean all buildings, equipment,
24 structures and other stationary items that are located on a single site or on
25 contiguous or adjacent sites and which are owned or operated by the same person.
26 If more than three hazardous substances or mixtures are reported on the Tier II
27 form, the employer shall submit an additional twenty dollar fee for each
28 hazardous substance or mixture. Fees collected under this subdivision shall be
29 for each hazardous chemical on hand at any one time in excess of ten thousand
30 pounds or for extremely hazardous substances on hand at any one time in excess
31 of five hundred pounds or the threshold planning quantity, whichever is less, or
32 for explosives or blasting agents on hand at any one time in excess of one
33 hundred pounds. However, no employer shall pay more than ten thousand dollars
34 per year in fees. Moneys acquired through litigation and any administrative fees
35 paid pursuant to subsection 3 of this section shall not be applied toward this cap.

36 (2) Employers engaged in transporting hazardous materials by pipeline
37 except local gas distribution companies regulated by the Missouri public service
38 commission shall pay to the commission a fee of two hundred fifty dollars for each
39 county in which they operate.

40 (3) Payment of fees is due each year by March first. A late fee of ten
41 percent of the total owed, plus one percent per month of the total, may be
42 assessed by the commission.

43 (4) If, on March first of each year, fees collected under this section and
44 natural resources damages made available pursuant to section 640.235 exceed one
45 million dollars, any excess over one million dollars shall be proportionately
46 credited to fees payable in the succeeding year by each employer who was
47 required to pay a fee and who did pay a fee in the year in which the excess
48 occurred. The limit of one million dollars contained herein shall be reviewed by
49 the commission concurrent with the review of fees as required in subsection 1 of
50 this section.

51 3. Beginning January 1, 2013, any employer filing its Tier II form
52 pursuant to subsection 1 of section 292.605 may request that the commission
53 distribute that employer's Tier II report to the local emergency planning
54 committees and fire departments listed in its Tier II report. Any employer opting
55 to have the commission distribute its Tier II report shall pay an additional fee of
56 ten dollars for each facility listed in the report at the time of filing to recoup the
57 commission's distribution costs. Fees shall be deposited in the chemical
58 emergency preparedness fund established under section 292.607. An employer
59 who pays the additional fee and whose Tier II report includes all local emergency
60 planning committees and fire departments required to be notified under
61 subsection 1 of section 292.605 shall satisfy the reporting requirements of
62 subsection 1 of section 292.605. The commission shall develop a mechanism for
63 an employer to exercise its option to have the commission distribute its Tier II
64 report.

65 4. Local emergency planning committees receiving funds under section
66 292.604 shall coordinate with the commission and the department in chemical
67 emergency planning, training, preparedness, and response activities. Local
68 emergency planning committees receiving funds under this section, section
69 260.394, sections 292.602, 292.604, 292.605, 292.615 and section 640.235 shall
70 provide to the commission an annual report of expenditures and activities.

71 5. Fees collected by the department and all funds provided to local

72 emergency planning committees shall be used for chemical emergency
73 preparedness purposes as outlined in sections 292.600 to 292.625 and the federal
74 act, including contingency planning for chemical releases; exercising, evaluating,
75 and distributing plans, providing training related to chemical emergency
76 preparedness and prevention of chemical accidents; identifying facilities required
77 to report; processing the information submitted by facilities and making it
78 available to the public; receiving and handling emergency notifications of
79 chemical releases; operating a local emergency planning committee; and providing
80 public notice of chemical preparedness activities. Local emergency planning
81 committees receiving funds under this section may combine such funds with other
82 local emergency planning committees to further the purposes of sections 292.600
83 to 292.625, or the federal act.

84 6. The commission shall establish criteria and guidance on how funds
85 received by local emergency planning committees may be used.

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

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

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

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

16 [(3)] (4) "Axle load", the total load transmitted to the road by all wheels
17 whose centers are included between two parallel transverse vertical planes forty
18 inches apart, extending across the full width of the vehicle;

19 [(4)] (5) "Backhaul", the return trip of a vehicle transporting cargo or
20 general freight, especially when carrying goods back over all or part of the same
21 route;

22 [(5)] (6) "Boat transporter", any vehicle combination capable of carrying

23 cargo on the power unit and designed and used specifically to transport
24 assembled boats and boat hulls. Boats may be partially disassembled to facilitate
25 transporting;

26 [(6)] (7) "Body shop", a business that repairs physical damage on motor
27 vehicles that are not owned by the shop or its officers or employees by mending,
28 straightening, replacing body parts, or painting;

29 [(7)] (8) "Bus", a motor vehicle primarily for the transportation of a
30 driver and eight or more passengers but not including shuttle buses;

31 [(8)] (9) "Commercial motor vehicle", a motor vehicle designed or
32 regularly used for carrying freight and merchandise, or more than eight
33 passengers but not including vanpools or shuttle buses;

34 [(9)] (10) "Cotton trailer", a trailer designed and used exclusively for
35 transporting cotton at speeds less than forty miles per hour from field to field or
36 from field to market and return;

37 [(10)] (11) "Dealer", any person, firm, corporation, association, agent or
38 subagent engaged in the sale or exchange of new, used or reconstructed motor
39 vehicles or trailers;

40 [(11)] (12) "Director" or "director of revenue", the director of the
41 department of revenue;

42 [(12)] (13) "Driveaway operation":

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

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

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

58 [(13)] (14) "Dromedary", a box, deck, or plate mounted behind the cab

59 and forward of the fifth wheel on the frame of the power unit of a truck tractor-
60 semitrailer combination. A truck tractor equipped with a dromedary may carry
61 part of a load when operating independently or in a combination with a
62 semitrailer;

63 [(14)] (15) "Farm tractor", a tractor used exclusively for agricultural
64 purposes;

65 [(15)] (16) "Fleet", any group of ten or more motor vehicles owned by the
66 same owner;

67 [(16)] (17) "Fleet vehicle", a motor vehicle which is included as part of
68 a fleet;

69 [(17)] (18) "Fullmount", a vehicle mounted completely on the frame of
70 either the first or last vehicle in a saddlemount combination;

71 [(18)] (19) "Gross weight", the weight of vehicle and/or vehicle
72 combination without load, plus the weight of any load thereon;

73 [(19)] (20) "Hail-damaged vehicle", any vehicle, the body of which has
74 become dented as the result of the impact of hail;

75 [(20)] (21) "Highway", any public thoroughfare for vehicles, including
76 state roads, county roads and public streets, avenues, boulevards, parkways or
77 alleys in any municipality;

78 [(21)] (22) "Improved highway", a highway which has been paved with
79 gravel, macadam, concrete, brick or asphalt, or surfaced in such a manner that
80 it shall have a hard, smooth surface;

81 [(22)] (23) "Intersecting highway", any highway which joins another,
82 whether or not it crosses the same;

83 [(23)] (24) "Junk vehicle", a vehicle which:

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

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

88 [(24)] (25) "Kit vehicle", a motor vehicle assembled by a person other
89 than a generally recognized manufacturer of motor vehicles by the use of a glider
90 kit or replica purchased from an authorized manufacturer and accompanied by
91 a manufacturer's statement of origin;

92 [(25)] (26) "Land improvement contractors' commercial motor vehicle",
93 any not-for-hire commercial motor vehicle the operation of which is confined to:

94 (a) An area that extends not more than a radius of one hundred miles

95 from its home base of operations when transporting its owner's machinery,
96 equipment, or auxiliary supplies to or from projects involving soil and water
97 conservation, or to and from equipment dealers' maintenance facilities for
98 maintenance purposes; or

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

104 ~~[(26)]~~ **(27)** "Local commercial motor vehicle", a commercial motor vehicle
105 whose operations are confined to a municipality and that area extending not more
106 than fifty miles therefrom, or a commercial motor vehicle whose property-carrying
107 operations are confined solely to the transportation of property owned by any
108 person who is the owner or operator of such vehicle to or from a farm owned by
109 such person or under the person's control by virtue of a landlord and tenant lease;
110 provided that any such property transported to any such farm is for use in the
111 operation of such farm;

112 ~~[(27)]~~ **(28)** "Local log truck", a commercial motor vehicle which is
113 registered pursuant to this chapter to operate as a motor vehicle on the public
114 highways of this state, used exclusively in this state, used to transport harvested
115 forest products, operated solely at a forested site and in an area extending not
116 more than a one hundred mile radius from such site, carries a load with
117 dimensions not in excess of twenty-five cubic yards per two axles with dual
118 wheels, and when operated on the national system of interstate and defense
119 highways described in 23 U.S.C. Section 103, as amended, or outside the one
120 hundred mile radius from such site with an extended distance local log truck
121 permit, such vehicle shall not exceed the weight limits of section 304.180, does
122 not have more than four axles, and does not pull a trailer which has more than
123 two axles. Harvesting equipment which is used specifically for cutting, felling,
124 trimming, delimiting, debarking, chipping, skidding, loading, unloading, and
125 stacking may be transported on a local log truck. A local log truck may not
126 exceed the limits required by law, however, if the truck does exceed such limits
127 as determined by the inspecting officer, then notwithstanding any other
128 provisions of law to the contrary, such truck shall be subject to the weight limits
129 required by such sections as licensed for eighty thousand pounds;

130 ~~[(28)]~~ **(29)** "Local log truck tractor", a commercial motor vehicle which is

131 registered under this chapter to operate as a motor vehicle on the public
132 highways of this state, used exclusively in this state, used to transport harvested
133 forest products, operated at a forested site and in an area extending not more
134 than a one hundred mile radius from such site, operates with a weight not
135 exceeding twenty-two thousand four hundred pounds on one axle or with a weight
136 not exceeding forty-four thousand eight hundred pounds on any tandem axle, and
137 when operated on the national system of interstate and defense highways
138 described in 23 U.S.C. Section 103, as amended, or outside the one hundred mile
139 radius from such site with an extended distance local log truck permit, such
140 vehicle does not exceed the weight limits contained in section 304.180, and does
141 not have more than three axles and does not pull a trailer which has more than
142 two axles. Violations of axle weight limitations shall be subject to the load limit
143 penalty as described for in sections 304.180 to 304.220;

144 [(29)] **(30)** "Local transit bus", a bus whose operations are confined
145 wholly within a municipal corporation, or wholly within a municipal corporation
146 and a commercial zone, as defined in section 390.020, adjacent thereto, forming
147 a part of a public transportation system within such municipal corporation and
148 such municipal corporation and adjacent commercial zone;

149 [(30)] **(31)** "Log truck", a vehicle which is not a local log truck or local log
150 truck tractor and is used exclusively to transport harvested forest products to and
151 from forested sites which is registered pursuant to this chapter to operate as a
152 motor vehicle on the public highways of this state for the transportation of
153 harvested forest products;

154 [(31)] **(32)** "Major component parts", the rear clip, cowl, frame, body, cab,
155 front-end assembly, and front clip, as those terms are defined by the director of
156 revenue pursuant to rules and regulations or by illustrations;

157 [(32)] **(33)** "Manufacturer", any person, firm, corporation or association
158 engaged in the business of manufacturing or assembling motor vehicles, trailers
159 or vessels for sale;

160 [(33)] **(34)** "Motor change vehicle", a vehicle manufactured prior to
161 August, 1957, which receives a new, rebuilt or used engine, and which used the
162 number stamped on the original engine as the vehicle identification number;

163 [(34)] **(35)** "Motor vehicle", any self-propelled vehicle not operated
164 exclusively upon tracks, except farm tractors;

165 [(35)] **(36)** "Motor vehicle primarily for business use", any vehicle other
166 than a recreational motor vehicle, motorcycle, motortricycle, **autocycle**, or any

167 commercial motor vehicle licensed for over twelve thousand pounds:

168 (a) Offered for hire or lease; or

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

170 [(36)] **(37)** "Motorcycle", a motor vehicle operated on two wheels;

171 [(37)] **(38)** "Motorized bicycle", any two-wheeled or three-wheeled device
172 having an automatic transmission and a motor with a cylinder capacity of not
173 more than fifty cubic centimeters, which produces less than three gross brake
174 horsepower, and is capable of propelling the device at a maximum speed of not
175 more than thirty miles per hour on level ground;

176 [(38)] **(39)** "Motortricycle", a motor vehicle **upon which the operator**
177 **straddles or sits astride that is designed to be controlled by handle bars**
178 **and is** operated on three wheels, including a motorcycle while operated with any
179 conveyance, temporary or otherwise, requiring the use of a third wheel. A
180 motortricycle shall not be included in the definition of all-terrain vehicle;

181 [(39)] **(40)** "Municipality", any city, town or village, whether incorporated
182 or not;

183 [(40)] **(41)** "Nonresident", a resident of a state or country other than the
184 state of Missouri;

185 [(41)] **(42)** "Non-USA-std motor vehicle", a motor vehicle not originally
186 manufactured in compliance with United States emissions or safety standards;

187 [(42)] **(43)** "Operator", any person who operates or drives a motor vehicle;

188 [(43)] **(44)** "Owner", any person, firm, corporation or association, who
189 holds the legal title to a vehicle or in the event a vehicle is the subject of an
190 agreement for the conditional sale or lease thereof with the right of purchase
191 upon performance of the conditions stated in the agreement and with an
192 immediate right of possession vested in the conditional vendee or lessee, or in the
193 event a mortgagor of a vehicle is entitled to possession, then such conditional
194 vendee or lessee or mortgagor shall be deemed the owner;

195 [(44)] **(45)** "Public garage", a place of business where motor vehicles are
196 housed, stored, repaired, reconstructed or repainted for persons other than the
197 owners or operators of such place of business;

198 [(45)] **(46)** "Rebuilder", a business that repairs or rebuilds motor vehicles
199 owned by the rebuilder, but does not include certificated common or contract
200 carriers of persons or property;

201 [(46)] **(47)** "Reconstructed motor vehicle", a vehicle that is altered from
202 its original construction by the addition or substitution of two or more new or

203 used major component parts, excluding motor vehicles made from all new parts,
204 and new multistage manufactured vehicles;

205 [(47)] **(48)** "Recreational motor vehicle", any motor vehicle designed,
206 constructed or substantially modified so that it may be used and is used for the
207 purposes of temporary housing quarters, including therein sleeping and eating
208 facilities which are either permanently attached to the motor vehicle or attached
209 to a unit which is securely attached to the motor vehicle. Nothing herein shall
210 prevent any motor vehicle from being registered as a commercial motor vehicle
211 if the motor vehicle could otherwise be so registered;

212 [(48)] **(49)** "Recreational off-highway vehicle", any motorized vehicle
213 manufactured and used exclusively for off-highway use which is more than fifty
214 inches but no more than sixty-seven inches in width, with an unladen dry weight
215 of two thousand pounds or less, traveling on four or more nonhighway tires and
216 which may have access to ATV trails;

217 [(49)] **(50)** "Rollback or car carrier", any vehicle specifically designed to
218 transport wrecked, disabled or otherwise inoperable vehicles, when the
219 transportation is directly connected to a wrecker or towing service;

220 [(50)] **(51)** "Saddlemount combination", a combination of vehicles in
221 which a truck or truck tractor tows one or more trucks or truck tractors, each
222 connected by a saddle to the frame or fifth wheel of the vehicle in front of it. The
223 "saddle" is a mechanism that connects the front axle of the towed vehicle to the
224 frame or fifth wheel of the vehicle in front and functions like a fifth wheel kingpin
225 connection. When two vehicles are towed in this manner the combination is
226 called a "double saddlemount combination". When three vehicles are towed in
227 this manner, the combination is called a "triple saddlemount combination";

228 [(51)] **(52)** "Salvage dealer and dismantler", a business that dismantles
229 used motor vehicles for the sale of the parts thereof, and buys and sells used
230 motor vehicle parts and accessories;

231 [(52)] **(53)** "Salvage vehicle", a motor vehicle, semitrailer, or house trailer
232 which:

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

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

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

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

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

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

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

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

261 [(53)] **(54)** "School bus", any motor vehicle used solely to transport
262 students to or from school or to transport students to or from any place for
263 educational purposes;

264 [(54)] **(55)** "Scrap processor", a business that, through the use of fixed or
265 mobile equipment, flattens, crushes, or otherwise accepts motor vehicles and
266 vehicle parts for processing or transportation to a shredder or scrap metal
267 operator for recycling;

268 [(55)] **(56)** "Shuttle bus", a motor vehicle used or maintained by any
269 person, firm, or corporation as an incidental service to transport patrons or
270 customers of the regular business of such person, firm, or corporation to and from
271 the place of business of the person, firm, or corporation providing the service at
272 no fee or charge. Shuttle buses shall not be registered as buses or as commercial
273 motor vehicles;

274 [(56)] **(57)** "Special mobile equipment", every self-propelled vehicle not

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

285 [(57)] **(58)** "Specially constructed motor vehicle", a motor vehicle which
286 shall not have been originally constructed under a distinctive name, make, model
287 or type by a manufacturer of motor vehicles. The term specially constructed
288 motor vehicle includes kit vehicles;

289 [(58)] **(59)** "Stinger-steered combination", a truck tractor-semitrailer
290 wherein the fifth wheel is located on a drop frame located behind and below the
291 rearmost axle of the power unit;

292 [(59)] **(60)** "Tandem axle", a group of two or more axles, arranged one
293 behind another, the distance between the extremes of which is more than forty
294 inches and not more than ninety-six inches apart;

295 [(60)] **(61)** "Towaway trailer transporter combination", a combination of
296 vehicles consisting of a trailer transporter towing unit and two trailers or
297 semitrailers, with a total weight that does not exceed twenty-six thousand
298 pounds; and in which the trailers or semitrailers carry no property and constitute
299 inventory property of a manufacturer, distributor, or dealer of such trailers or
300 semitrailers;

301 [(61)] **(62)** "Tractor", "truck tractor" or "truck-tractor", a self-propelled
302 motor vehicle designed for drawing other vehicles, but not for the carriage of any
303 load when operating independently. When attached to a semitrailer, it supports
304 a part of the weight thereof;

305 [(62)] **(63)** "Trailer", any vehicle without motive power designed for
306 carrying property or passengers on its own structure and for being drawn by a
307 self-propelled vehicle, except those running exclusively on tracks, including a
308 semitrailer or vehicle of the trailer type so designed and used in conjunction with
309 a self-propelled vehicle that a considerable part of its own weight rests upon and
310 is carried by the towing vehicle. The term trailer shall not include cotton trailers

311 as defined in this section and shall not include manufactured homes as defined
312 in section 700.010;

313 [(63)] **(64)** "Trailer transporter towing unit", a power unit that is not
314 used to carry property when operating in a towaway trailer transporter
315 combination;

316 [(64)] **(65)** "Truck", a motor vehicle designed, used, or maintained for the
317 transportation of property;

318 [(65)] **(66)** "Truck-tractor semitrailer-semitrailer", a combination vehicle
319 in which the two trailing units are connected with a B-train assembly which is
320 a rigid frame extension attached to the rear frame of a first semitrailer which
321 allows for a fifth-wheel connection point for the second semitrailer and has one
322 less articulation point than the conventional A-dolly connected truck-tractor
323 semitrailer-trailer combination;

324 [(66)] **(67)** "Truck-trailer boat transporter combination", a boat
325 transporter combination consisting of a straight truck towing a trailer using
326 typically a ball and socket connection with the trailer axle located substantially
327 at the trailer center of gravity rather than the rear of the trailer but so as to
328 maintain a downward force on the trailer tongue;

329 [(67)] **(68)** "Used parts dealer", a business that buys and sells used motor
330 vehicle parts or accessories, but not including a business that sells only new,
331 remanufactured or rebuilt parts. Business does not include isolated sales at a
332 swap meet of less than three days;

333 [(68)] **(69)** "Utility vehicle", any motorized vehicle manufactured and
334 used exclusively for off-highway use which is more than fifty inches but no more
335 than sixty-seven inches in width, with an unladen dry weight of two thousand
336 pounds or less, traveling on four or six wheels, to be used primarily for
337 landscaping, lawn care, or maintenance purposes;

338 [(69)] **(70)** "Vanpool", any van or other motor vehicle used or maintained
339 by any person, group, firm, corporation, association, city, county or state agency,
340 or any member thereof, for the transportation of not less than eight nor more
341 than forty-eight employees, per motor vehicle, to and from their place of
342 employment; however, a vanpool shall not be included in the definition of the
343 term bus or commercial motor vehicle as defined in this section, nor shall a
344 vanpool driver be deemed a chauffeur as that term is defined by section 303.020;
345 nor shall use of a vanpool vehicle for ride-sharing arrangements, recreational,
346 personal, or maintenance uses constitute an unlicensed use of the motor vehicle,

347 unless used for monetary profit other than for use in a ride-sharing arrangement;
348 ~~[(70)]~~ **(71)** "Vehicle", any mechanical device on wheels, designed
349 primarily for use, or used, on highways, except motorized bicycles, vehicles
350 propelled or drawn by horses or human power, or vehicles used exclusively on
351 fixed rails or tracks, or cotton trailers or motorized wheelchairs operated by
352 handicapped persons;

353 ~~[(71)]~~ **(72)** "Wrecker" or "tow truck", any emergency commercial vehicle
354 equipped, designed and used to assist or render aid and transport or tow disabled
355 or wrecked vehicles from a highway, road, street or highway rights-of-way to a
356 point of storage or repair, including towing a replacement vehicle to replace a
357 disabled or wrecked vehicle;

358 ~~[(72)]~~ **(73)** "Wrecker or towing service", the act of transporting, towing
359 or recovering with a wrecker, tow truck, rollback or car carrier any vehicle not
360 owned by the operator of the wrecker, tow truck, rollback or car carrier for which
361 the operator directly or indirectly receives compensation or other personal gain.

301.020. 1. Every owner of a motor vehicle or trailer, which shall be
2 operated or driven upon the highways of this state, except as herein otherwise
3 expressly provided, shall annually file, by mail or otherwise, in the office of the
4 director of revenue, an application for registration on a blank to be furnished by
5 the director of revenue for that purpose containing:

6 (1) A brief description of the motor vehicle or trailer to be registered,
7 including the name of the manufacturer, the vehicle identification number, the
8 amount of motive power of the motor vehicle, stated in figures of horsepower and
9 whether the motor vehicle is to be registered as a motor vehicle primarily for
10 business use as defined in section 301.010;

11 (2) The name, the applicant's identification number and address of the
12 owner of such motor vehicle or trailer;

13 (3) The gross weight of the vehicle and the desired load in pounds if the
14 vehicle is a commercial motor vehicle or trailer.

15 2. If the vehicle is a motor vehicle primarily for business use as defined
16 in section 301.010 and if such vehicle is five years of age or less, the director of
17 revenue shall retain the odometer information provided in the vehicle inspection
18 report, and provide for prompt access to such information, together with the
19 vehicle identification number for the motor vehicle to which such information
20 pertains, for a period of five years after the receipt of such information. This
21 section shall not apply unless:

22 (1) The application for the vehicle's certificate of ownership was submitted
23 after July 1, 1989; and

24 (2) The certificate was issued pursuant to a manufacturer's statement of
25 origin.

26 3. If the vehicle is any motor vehicle other than a motor vehicle primarily
27 for business use, a recreational motor vehicle, motorcycle, motortricycle,
28 **autocycle**, bus, or any commercial motor vehicle licensed for over twelve
29 thousand pounds and if such motor vehicle is five years of age or less, the director
30 of revenue shall retain the odometer information provided in the vehicle
31 inspection report, and provide for prompt access to such information, together
32 with the vehicle identification number for the motor vehicle to which such
33 information pertains, for a period of five years after the receipt of such
34 information. This subsection shall not apply unless:

35 (1) The application for the vehicle's certificate of ownership was submitted
36 after July 1, 1990; and

37 (2) The certificate was issued pursuant to a manufacturer's statement of
38 origin.

39 4. If the vehicle qualifies as a reconstructed motor vehicle, motor change
40 vehicle, specially constructed motor vehicle, non-USA-std motor vehicle, as
41 defined in section 301.010, or prior salvage as referenced in section 301.573, the
42 owner or lienholder shall surrender the certificate of ownership. The owner shall
43 make an application for a new certificate of ownership, pay the required title fee,
44 and obtain the vehicle examination certificate required pursuant to subsection 9
45 of section 301.190. If an insurance company pays a claim on a salvage vehicle as
46 defined in section 301.010 and the owner retains the vehicle, as prior salvage, the
47 vehicle shall only be required to meet the examination requirements under
48 subsection 10 of section 301.190. Notarized bills of sale along with a copy of the
49 front and back of the certificate of ownership for all major component parts
50 installed on the vehicle and invoices for all essential parts which are not defined
51 as major component parts shall accompany the application for a new certificate
52 of ownership. If the vehicle is a specially constructed motor vehicle, as defined
53 in section 301.010, two pictures of the vehicle shall be submitted with the
54 application. If the vehicle is a kit vehicle, the applicant shall submit the invoice
55 and the manufacturer's statement of origin on the kit. If the vehicle requires the
56 issuance of a special number by the director of revenue or a replacement vehicle
57 identification number, the applicant shall submit the required application and

58 application fee. All applications required under this subsection shall be
59 submitted with any applicable taxes which may be due on the purchase of the
60 vehicle or parts. The director of revenue shall appropriately designate
61 "Reconstructed Motor Vehicle", "Motor Change Vehicle", "Non-USA-Std Motor
62 Vehicle", or "Specially Constructed Motor Vehicle" on the current and all
63 subsequent issues of the certificate of ownership of such vehicle.

64 5. Every insurance company that pays a claim for repair of a motor
65 vehicle which as the result of such repairs becomes a reconstructed motor vehicle
66 as defined in section 301.010 or that pays a claim on a salvage vehicle as defined
67 in section 301.010 and the owner is retaining the vehicle shall in writing notify
68 the owner of the vehicle, and in a first party claim, the lienholder if a lien is in
69 effect, that he is required to surrender the certificate of ownership, and the
70 documents and fees required pursuant to subsection 4 of this section to obtain a
71 prior salvage motor vehicle certificate of ownership or documents and fees as
72 otherwise required by law to obtain a salvage certificate of ownership, from the
73 director of revenue. The insurance company shall within thirty days of the
74 payment of such claims report to the director of revenue the name and address
75 of such owner, the year, make, model, vehicle identification number, and license
76 plate number of the vehicle, and the date of loss and payment.

77 6. Anyone who fails to comply with the requirements of this section shall
78 be guilty of a class B misdemeanor.

79 7. An applicant for registration may make a donation of one dollar to
80 promote a blindness education, screening and treatment program. The director
81 of revenue shall collect the donations and deposit all such donations in the state
82 treasury to the credit of the blindness education, screening and treatment
83 program fund established in section 209.015. Moneys in the blindness education,
84 screening and treatment program fund shall be used solely for the purposes
85 established in section 209.015; except that the department of revenue shall retain
86 no more than one percent for its administrative costs. The donation prescribed
87 in this subsection is voluntary and may be refused by the applicant for
88 registration at the time of issuance or renewal. The director shall inquire of each
89 applicant at the time the applicant presents the completed application to the
90 director whether the applicant is interested in making the one dollar donation
91 prescribed in this subsection.

92 8. An applicant for registration may make a donation of one dollar to
93 promote an organ donor program. The director of revenue shall collect the

94 donations and deposit all such donations in the state treasury to the credit of the
 95 organ donor program fund as established in sections 194.297 to 194.304. Moneys
 96 in the organ donor fund shall be used solely for the purposes established in
 97 sections 194.297 to 194.304, except that the department of revenue shall retain
 98 no more than one percent for its administrative costs. The donation prescribed
 99 in this subsection is voluntary and may be refused by the applicant for
 100 registration at the time of issuance or renewal. The director shall inquire of each
 101 applicant at the time the applicant presents the completed application to the
 102 director whether the applicant is interested in making the one dollar donation
 103 prescribed in this subsection.

301.055. 1. The annual registration fee for motor vehicles other than
 2 commercial motor vehicles is:

3	Less than 12 horsepower	\$18.00
4	12 horsepower and less than 24 horsepower	21.00
5	24 horsepower and less than 36 horsepower	24.00
6	36 horsepower and less than 48 horsepower	33.00
7	48 horsepower and less than 60 horsepower	39.00
8	60 horsepower and less than 72 horsepower	45.00
9	72 horsepower and more	51.00
10	Motorcycles	8.50
11	Motortricycles	10.00
12	Autocycles	10.25

13 **2. Notwithstanding any other provision of law, the registration**
 14 **of any autocycle registered as a motorcycle or motortricycle prior to**
 15 **August 28, 2018, shall remain in effect until the expiration of the**
 16 **registration period for such vehicle at which time the owner shall be**
 17 **required to renew the motor vehicle's registration under the autocycle**
 18 **classification and pay the appropriate registration fee.**

301.130. 1. The director of revenue, upon receipt of a proper application
 2 for registration, required fees and any other information which may be required
 3 by law, shall issue to the applicant a certificate of registration in such manner
 4 and form as the director of revenue may prescribe and a set of license plates, or
 5 other evidence of registration, as provided by this section. Each set of license
 6 plates shall bear the name or abbreviated name of this state, the words "SHOW-
 7 ME STATE", the month and year in which the registration shall expire, and an
 8 arrangement of numbers or letters, or both, as shall be assigned from year to year

9 by the director of revenue. The plates shall also contain fully reflective material
10 with a common color scheme and design for each type of license plate issued
11 pursuant to this chapter. The plates shall be clearly visible at night, and shall
12 be aesthetically attractive. Special plates for qualified disabled veterans will
13 have the "DISABLED VETERAN" wording on the license plates in preference to
14 the words "SHOW-ME STATE" and special plates for members of the National
15 Guard will have the "NATIONAL GUARD" wording in preference to the words
16 "SHOW-ME STATE".

17 2. The arrangement of letters and numbers of license plates shall be
18 uniform throughout each classification of registration. The director may provide
19 for the arrangement of the numbers in groups or otherwise, and for other
20 distinguishing marks on the plates.

21 3. All property-carrying commercial motor vehicles to be registered at a
22 gross weight in excess of twelve thousand pounds, all passenger-carrying
23 commercial motor vehicles, local transit buses, school buses, trailers, semitrailers,
24 motorcycles, motortricycles, **autocycles**, motorscooters, and driveaway vehicles
25 shall be registered with the director of revenue as provided for in subsection 3 of
26 section 301.030, or with the state highways and transportation commission as
27 otherwise provided in this chapter, but only one license plate shall be issued for
28 each such vehicle, except as provided in this subsection. The applicant for
29 registration of any property-carrying commercial vehicle registered at a gross
30 weight in excess of twelve thousand pounds may request and be issued two
31 license plates for such vehicle, and if such plates are issued, the director of
32 revenue shall provide for distinguishing marks on the plates indicating one plate
33 is for the front and the other is for the rear of such vehicle. The director may
34 assess and collect an additional charge from the applicant in an amount not to
35 exceed the fee prescribed for personalized license plates in subsection 1 of section
36 301.144.

37 4. The plates issued to manufacturers and dealers shall bear the letters
38 and numbers as prescribed by section 301.560, and the director may place upon
39 the plates other letters or marks to distinguish commercial motor vehicles and
40 trailers and other types of motor vehicles.

41 5. No motor vehicle or trailer shall be operated on any highway of this
42 state unless it shall have displayed thereon the license plate or set of license
43 plates issued by the director of revenue or the state highways and transportation
44 commission and authorized by section 301.140. Each such plate shall be securely

45 fastened to the motor vehicle or trailer in a manner so that all parts thereof shall
46 be plainly visible and reasonably clean so that the reflective qualities thereof are
47 not impaired. Each such plate may be encased in a transparent cover so long as
48 the plate is plainly visible and its reflective qualities are not impaired. License
49 plates shall be fastened to all motor vehicles except trucks, tractors, truck
50 tractors or truck-tractors licensed in excess of twelve thousand pounds on the
51 front and rear of such vehicles not less than eight nor more than forty-eight
52 inches above the ground, with the letters and numbers thereon right side up. The
53 license plates on trailers, motorcycles, motortricycles, **autocycles**, and
54 motorscooters shall be displayed on the rear of such vehicles either horizontally
55 or vertically, with the letters and numbers plainly visible. The license plate on
56 buses, other than school buses, and on trucks, tractors, truck tractors or truck-
57 tractors licensed in excess of twelve thousand pounds shall be displayed on the
58 front of such vehicles not less than eight nor more than forty-eight inches above
59 the ground, with the letters and numbers thereon right side up or if two plates
60 are issued for the vehicle pursuant to subsection 3 of this section, displayed in
61 the same manner on the front and rear of such vehicles. The license plate or
62 plates authorized by section 301.140, when properly attached, shall be prima facie
63 evidence that the required fees have been paid.

64 6. (1) The director of revenue shall issue annually or biennially a tab or
65 set of tabs as provided by law as evidence of the annual payment of registration
66 fees and the current registration of a vehicle in lieu of the set of
67 plates. Beginning January 1, 2010, the director may prescribe any additional
68 information recorded on the tab or tabs to ensure that the tab or tabs positively
69 correlate with the license plate or plates issued by the department of revenue for
70 such vehicle. Such tabs shall be produced in each license bureau office.

71 (2) The vehicle owner to whom a tab or set of tabs is issued shall affix and
72 display such tab or tabs in the designated area of the license plate, no more than
73 one per plate.

74 (3) A tab or set of tabs issued by the director of revenue when attached
75 to a vehicle in the prescribed manner shall be prima facie evidence that the
76 registration fee for such vehicle has been paid.

77 (4) Except as otherwise provided in this section, the director of revenue
78 shall issue plates for a period of at least six years.

79 (5) For those commercial motor vehicles and trailers registered pursuant
80 to section 301.041, the plate issued by the highways and transportation

81 commission shall be a permanent nonexpiring license plate for which no tabs
82 shall be issued. Nothing in this section shall relieve the owner of any vehicle
83 permanently registered pursuant to this section from the obligation to pay the
84 annual registration fee due for the vehicle. The permanent nonexpiring license
85 plate shall be returned to the highways and transportation commission upon the
86 sale or disposal of the vehicle by the owner to whom the permanent nonexpiring
87 license plate is issued, or the plate may be transferred to a replacement
88 commercial motor vehicle when the owner files a supplemental application with
89 the Missouri highways and transportation commission for the registration of such
90 replacement commercial motor vehicle. Upon payment of the annual registration
91 fee, the highways and transportation commission shall issue a certificate of
92 registration or other suitable evidence of payment of the annual fee, and such
93 evidence of payment shall be carried at all times in the vehicle for which it is
94 issued.

95 (6) Upon the sale or disposal of any vehicle permanently registered under
96 this section, or upon the termination of a lease of any such vehicle, the permanent
97 nonexpiring plate issued for such vehicle shall be returned to the highways and
98 transportation commission and shall not be valid for operation of such vehicle, or
99 the plate may be transferred to a replacement vehicle when the owner files a
100 supplemental application with the Missouri highways and transportation
101 commission for the registration of such replacement vehicle. If a vehicle which
102 is permanently registered under this section is sold, wrecked or otherwise
103 disposed of, or the lease terminated, the registrant shall be given credit for any
104 unused portion of the annual registration fee when the vehicle is replaced by the
105 purchase or lease of another vehicle during the registration year.

106 7. The director of revenue and the highways and transportation
107 commission may prescribe rules and regulations for the effective administration
108 of this section. No rule or portion of a rule promulgated under the authority of
109 this section shall become effective unless it has been promulgated pursuant to the
110 provisions of section 536.024.

111 8. Notwithstanding the provisions of any other law to the contrary, owners
112 of motor vehicles other than apportioned motor vehicles or commercial motor
113 vehicles licensed in excess of twenty-four thousand pounds gross weight may
114 apply for special personalized license plates. Vehicles licensed for twenty-four
115 thousand pounds that display special personalized license plates shall be subject
116 to the provisions of subsections 1 and 2 of section 301.030. On and after August

117 28, 2016, owners of motor vehicles, other than apportioned motor vehicles or
118 commercial motor vehicles licensed in excess of twenty-four thousand pounds
119 gross weight, may apply for any preexisting or hereafter statutorily created
120 special personalized license plates.

121 9. No later than January 1, 2019, the director of revenue shall commence
122 the reissuance of new license plates of such design as approved by the advisory
123 committee under section 301.125 consistent with the terms, conditions, and
124 provisions of section 301.125 and this chapter. Except as otherwise provided in
125 this section, in addition to all other fees required by law, applicants for
126 registration of vehicles with license plates that expire during the period of
127 reissuance, applicants for registration of trailers or semitrailers with license
128 plates that expire during the period of reissuance and applicants for registration
129 of vehicles that are to be issued new license plates during the period of reissuance
130 shall pay the cost of the plates required by this subsection. The additional cost
131 prescribed in this subsection shall not be charged to persons receiving special
132 license plates issued under section 301.073 or 301.443. Historic motor vehicle
133 license plates registered pursuant to section 301.131 and specialized license
134 plates are exempt from the provisions of this subsection. Except for new,
135 replacement, and transfer applications, permanent nonexpiring license plates
136 issued to commercial motor vehicles and trailers registered under section 301.041
137 are exempt from the provisions of this subsection.

301.350. 1. Upon receipt of an application for registration of a motor
2 vehicle, trailer, manufacturer or dealer, as provided in this chapter, the director
3 of revenue shall file such application and register such motor vehicle, trailer,
4 manufacturer or dealer, together with the facts stated in the application, under
5 a distinctive number assigned to such motor vehicle, trailer, manufacturer or
6 dealer. Separate records shall be kept as follows:

- 7 (1) Motor vehicles registered by owners;
- 8 (2) Commercial motor vehicles;
- 9 (3) Trailers;
- 10 (4) Motorcycles and motor tricycles;
- 11 (5) **Autocycles;**
- 12 (6) **Manufacturers and dealers.**

13 2. The director of revenue may keep such other classifications and records
14 as he may deem necessary and may enter contracts or agreements or otherwise
15 make arrangements for computerized access to odometer and title information.

16 3. All of such books and records shall be kept open to public inspection
17 during reasonable business hours.

18 4. The governor may cause the records of the department of revenue to be
19 audited by the state auditor at any time.

 304.001. As used in this chapter and chapter 307, the following terms
2 shall mean:

3 (1) "Abandoned property", any unattended motor vehicle, trailer,
4 all-terrain vehicle, outboard motor or vessel removed or subject to removal from
5 public or private property as provided in sections 304.155 and 304.157, whether
6 or not operational. For any vehicle towed from the scene of an accident at the
7 request of law enforcement and not retrieved by the vehicle's owner within five
8 days of the accident, the agency requesting the tow shall be required to write an
9 abandoned property report or a crime inquiry and inspection report;

10 (2) "Commercial vehicle enforcement officers", employees of the Missouri
11 state highway patrol who are not members of the patrol but who are appointed
12 by the superintendent of the highway patrol to enforce the laws, rules, and
13 regulations pertaining to commercial vehicles, trailers, special mobile equipment
14 and drivers of such vehicles;

15 (3) "Commercial vehicle inspectors", employees of the Missouri state
16 highway patrol who are not members of the patrol but who are appointed by the
17 superintendent of the highway patrol to supervise or operate permanent or
18 portable weigh stations in the enforcement of commercial vehicle laws;

19 (4) "Commission", the state highways and transportation commission;

20 (5) "Department", the state transportation department;

21 (6) "Freeway", a divided state highway with four or more lanes, with no
22 access to the throughways except the established interchanges and with no
23 at-grade crossings;

24 (7) "Interstate highway", a state highway included in the national system
25 of interstate highways located within the boundaries of Missouri, as officially
26 designated or as may be hereafter designated by the state highways and
27 transportation commission with the approval of the Secretary of Transportation,
28 pursuant to Title 23, U.S.C., as amended;

29 (8) "Members of the patrol", the superintendent, lieutenant colonel,
30 majors, captains, director of radio, lieutenants, sergeants, corporals and
31 patrolmen of the Missouri state highway patrol;

32 (9) "Off-road vehicle", any vehicle designed for or capable of cross-country

33 travel on or immediately over land, water, ice, snow, marsh, swampland, or other
34 natural terrain without benefit of a road or trail:

35 (a) Including, without limitation, the following:

36 a. Jeeps;

37 b. All-terrain vehicles;

38 c. Dune buggies;

39 d. Multiwheel drive or low-pressure tire vehicles;

40 e. Vehicle using an endless belt, or tread or treads, or a combination of
41 tread and low-pressure tires;

42 f. Motorcycles, trail bikes, minibikes and related vehicles;

43 g. Any other means of transportation deriving power from any source
44 other than muscle or wind; and

45 (b) Excluding the following:

46 a. Registered motorboats;

47 b. Aircraft;

48 c. Any military, fire or law enforcement vehicle;

49 d. Farm-type tractors and other self-propelled equipment for harvesting
50 and transporting farm or forest products;

51 e. Any vehicle being used for farm purposes, earth moving, or construction
52 while being used for such purposes on the work site;

53 f. Self-propelled lawnmowers, or lawn or garden tractors, or golf carts,
54 while being used exclusively for their designed purpose; and

55 g. Any vehicle being used for the purpose of transporting a handicapped
56 person;

57 (10) "Person", any natural person, corporation, or other legal entity;

58 (11) **"Platoon", a group of individual motor vehicles traveling in**
59 **a unified manner at electronically coordinated speeds at following**
60 **distances that are closer than would be reasonable and prudent without**
61 **such coordination;**

62 (12) "Right-of-way", the entire width of land between the boundary lines
63 of a state highway, including any roadway;

64 [(12)] (13) "Roadway", that portion of a state highway ordinarily used for
65 vehicular travel, exclusive of the berm or shoulder;

66 [(13)] (14) "State highway", a highway constructed or maintained by the
67 state highways and transportation commission with the aid of state funds or
68 United States government funds, or any highway included by authority of law in

69 the state highway system, including all right-of-way;

70 [(14)] (15) "Towing company", any person or entity which tows, removes
71 or stores abandoned property;

72 [(15)] (16) "Urbanized area", an area with a population of fifty thousand
73 or more designated by the Bureau of the Census, within boundaries to be fixed
74 by the state highways and transportation commission and local officials in
75 cooperation with each other and approved by the Secretary of
76 Transportation. The boundary of an urbanized area shall, at a minimum,
77 encompass the entire urbanized area as designed by the Bureau of the Census.

304.005. 1. As used in this section, the term "autocycle" means a
2 three-wheeled motor vehicle which the drivers and passengers ride in a partially
3 or completely enclosed nonstraddle seating area, that is designed to be controlled
4 with a steering wheel and pedals, and that has met applicable Department of
5 Transportation National Highway Traffic Safety Administration requirements or
6 Federal Motorcycle Safety Standards.

7 2. Notwithstanding subsection 2 of section 302.020, a person operating or
8 riding in an autocycle shall not be required to wear protective headgear [if the
9 vehicle is equipped with a roof that meets or exceeds the standards established
10 for protective headgear].

11 3. No person shall operate an autocycle on any highway or street in this
12 state unless the person has a valid driver's license. The operator of an autocycle,
13 however, shall not be required to obtain a motorcycle or motortricycle license or
14 endorsement pursuant to sections 302.010 to 302.340.

304.044. 1. The following terms as used in this section shall mean:

2 (1) "Bus", any vehicle or motor car designed and used for the purpose of
3 carrying more than seven persons;

4 (2) "Truck", any vehicle, machine, tractor, trailer or semitrailer, or any
5 combination thereof, propelled or drawn by mechanical power and designed or
6 used in the transportation of property upon the highways.

7 2. The driver of any truck or bus, when traveling upon a public highway
8 of this state outside of a business or residential district, shall not follow within
9 three hundred feet of another such vehicle; provided, the provisions of this section
10 shall not be construed to prevent the overtaking and passing, by any such truck
11 or bus, of another similar vehicle.

12 3. **The following-distance provisions of this section shall not**
13 **apply to a nonlead vehicle in a platoon, as such term is defined in**

14 **section 304.001.**

15 4. Any person who shall violate the provisions of this section shall be
16 deemed guilty of a class C misdemeanor, and upon conviction thereof shall be
17 punished accordingly.

18 5. **The highways and transportation commission is authorized to**
19 **promulgate administrative rules that are reasonable and necessary to**
20 **implement platooning. Any rule or portion of a rule, as that term is**
21 **defined in section 536.010, that is created under the authority delegated**
22 **in this section shall become effective only if it complies with and is**
23 **subject to all of the provisions of chapter 536, and, if applicable, section**
24 **536.028. This section and chapter 536 are nonseverable, and if any of**
25 **the powers vested with the general assembly pursuant to chapter 536**
26 **to review, to delay the effective date, or to disapprove and annul a rule**
27 **are subsequently held unconstitutional, then the grant of rulemaking**
28 **authority and any rule proposed or adopted after August 28, 2018, shall**
29 **be invalid and void.**

307.175. 1. Motor vehicles and equipment which are operated by any
2 member of an organized fire department, ambulance association, or rescue squad,
3 whether paid or volunteer, may be operated on streets and highways in this state
4 as an emergency vehicle under the provisions of section 304.022 while responding
5 to a fire call or ambulance call or at the scene of a fire call or ambulance call and
6 while using or sounding a warning siren and using or displaying thereon fixed,
7 flashing or rotating blue lights, but sirens and blue lights shall be used only in
8 bona fide emergencies.

9 2. (1) Notwithstanding subsection 1 of this section, the following vehicles
10 may use or display fixed, flashing, or rotating red or red and blue lights:

11 (a) Emergency vehicles, as defined in section 304.022, when responding
12 to an emergency;

13 (b) Vehicles operated as described in subsection 1 of this section;

14 (c) Vehicles **and equipment** owned **or leased** by a contractor or
15 subcontractor performing work for the department of transportation, except that
16 the red or red and blue lights shall be displayed on vehicles **or equipment**
17 described in this paragraph only between dusk and dawn, when such vehicles **or**
18 **equipment** are stationary, such vehicles **or equipment** are located in a work
19 zone as defined in section 304.580, highway workers as defined in section 304.580
20 are present, and such work zone is designated by a sign or signs. **No more than**

21 **two vehicles or pieces of equipment in a work zone may display fixed,**
22 **flashing, or rotating lights under this subdivision.**

23 (2) The following vehicles **and equipment** may use or display fixed,
24 flashing, or rotating amber or amber and white lights:

25 (a) Vehicles **and equipment** owned or leased by the state highways and
26 transportation commission and operated by an authorized employee of the
27 department of transportation, **except that the amber or amber and white**
28 **lights shall be displayed on vehicles or equipment described in this**
29 **paragraph only when such vehicles or equipment are located in a work**
30 **zone as defined in section 304.580, highway workers as defined in**
31 **section 304.580 are present, and such work zone is designated by a sign**
32 **or signs;**

33 (b) Vehicles **and equipment** owned or leased by a contractor or
34 subcontractor performing work for the department of transportation, except that
35 the amber or amber and white lights shall be displayed on vehicles described in
36 this paragraph only when such vehicles **or equipment** are [stationary] **located**
37 **in a work zone as defined in section 304.580, highway workers as**
38 **defined in section 304.580 are present, and such work zone is**
39 **designated by a sign or signs;**

40 (c) Vehicles **and equipment** operated by a utility worker performing
41 work for the utility, except that the amber or amber and white lights shall be
42 displayed on vehicles described in this paragraph only when such vehicles are
43 stationary, **such vehicles or equipment are located in a work zone as**
44 **defined in section 304.580, a utility worker is present, and such work**
45 **zone is designated by a sign or signs.** As used in this paragraph, the term
46 "utility worker" means any employee while in performance of his or her job
47 duties, including any person employed under contract of a utility that provides
48 gas, heat, electricity, water, steam, telecommunications or cable services, or sewer
49 services, whether privately, municipally, or cooperatively owned.

50 3. Permits for the operation of such vehicles equipped with sirens or blue
51 lights shall be in writing and shall be issued and may be revoked by the chief of
52 an organized fire department, organized ambulance association, **or** rescue squad[,
53 or the state highways and transportation commission] and no person shall use or
54 display a siren or blue lights on a motor vehicle, fire, ambulance, or rescue
55 equipment without a valid permit authorizing the use. A permit to use a siren
56 or lights as heretofore set out does not relieve the operator of the vehicle so

57 equipped with complying with all other traffic laws and regulations. Violation of
58 this section constitutes a class A misdemeanor.

Section B. Because of the need to protect lives on our roads and highways,
2 the repeal and reenactment of section 307.175 of this act is deemed necessary for
3 the immediate preservation of the public health, welfare, peace and safety, and
4 is hereby declared to be an emergency act within the meaning of the constitution,
5 and the repeal and reenactment of section 307.175 of this act shall be in full force
6 and effect upon its passage and approval.

Unofficial ✓

Bill

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