

FIRST REGULAR SESSION

HOUSE BILL NO. 797

91ST GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVES GREEN (15), KOLLER AND GREEN (73) (Co-sponsors).

Read 1st time February 15, 2001, and 1000 copies ordered printed.

TED WEDEL, Chief Clerk

1866L.011

AN ACT

To repeal sections 301.010, 304.001, 304.015, 304.180, 304.200 and 304.580, RSMo 2000, relating to traffic regulations, and to enact in lieu thereof six new sections relating to the same subject, with penalty provisions.

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

Section A. Sections 301.010, 304.001, 304.015, 304.180, 304.200 and 304.580, RSMo
2 2000, are repealed and six new sections enacted in lieu thereof, to be known as sections 301.010,
3 304.001, 304.015, 304.180, 304.200 and 304.580, to read as follows:

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

3 (1) "All-terrain vehicle", any motorized vehicle manufactured and used exclusively for
4 off-highway use which is fifty inches or less in width, with an unladen dry weight of six hundred
5 pounds or less, traveling on three, four or more low pressure tires, with a seat designed to be
6 straddled by the operator, and handlebars for steering control;

7 (2) "Automobile transporter", any vehicle combination designed and used specifically
8 for the transport of assembled motor vehicles, **including truck camper units**;

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

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

14 (5) "Body shop", a business that repairs physical damage on motor vehicles that are not

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

15 owned by the shop or its officers or employees by mending, straightening, replacing body parts,
16 or painting;

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

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

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

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

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

27 (11) "Driveaway operation", the movement of a motor vehicle or trailer by any person
28 or motor carrier other than a dealer over any public highway, under its own power singly, or in
29 a fixed combination of two or more vehicles, for the purpose of delivery for sale or for delivery
30 either before or after sale;

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

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

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

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

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

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

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

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

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

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

50 (22) "Junk vehicle", a vehicle which is incapable of operation or use upon the highways

51 and has no resale value except as a source of parts or scrap, and shall not be titled or registered;

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

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

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

61 (b) An area that extends not more than a radius of twenty-five miles from its home base
62 of operations when transporting its owner's machinery, equipment, or auxiliary supplies to or
63 from projects not involving soil and water conservation. Nothing in this subdivision shall be
64 construed to prevent any motor vehicle from being registered as a commercial motor vehicle or
65 local commercial motor vehicle;

66 (25) "Local commercial motor vehicle", a commercial motor vehicle whose operations
67 are confined solely to a municipality and that area extending not more than fifty miles therefrom,
68 or a commercial motor vehicle whose property-carrying operations are confined solely to the
69 transportation of property owned by any person who is the owner or operator of such vehicle to
70 or from a farm owned by such person or under the person's control by virtue of a landlord and
71 tenant lease; provided that any such property transported to any such farm is for use in the
72 operation of such farm;

73 (26) "Local log truck", a commercial motor vehicle which is registered pursuant to this
74 chapter to operate as a motor vehicle on the public highways of this state, used exclusively in this
75 state, used to transport harvested forest products, operated solely at a forested site and in an area
76 extending not more than a fifty-mile radius from such site, carries a load with dimensions not
77 in excess of twenty-five cubic yards per two axles with dual wheels, and is not operated on the
78 national system of interstate and defense highways described in Title 23, Section 103(e) of the
79 United States Code, does not have more than four axles and does not pull a trailer which has
80 more than two axles. A local log truck may not exceed the limits required by law, however, if
81 the truck does exceed such limits as determined by the inspecting officer, then notwithstanding
82 any other provisions of law to the contrary, such truck shall be subject to the weight limits
83 required by such sections as licensed for eighty thousand pounds;

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

87 such municipal corporation and such municipal corporation and adjacent commercial zone;

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

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

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

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

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

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

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

108 (a) Offered for hire or lease; or

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

155 (50) "Salvage vehicle", a motor vehicle, semitrailer or house trailer which, by reason of
156 condition or circumstance, has been declared salvage, either by its owner, or by a person, firm,
157 corporation, or other legal entity exercising the right of security interest in it, or by an insurance
158 company as a result of settlement of a claim for loss due to damage or theft; or a vehicle,

159 ownership of which is evidenced by a salvage title; or abandoned property which is titled
160 pursuant to section 304.155, RSMo, or section 304.157, RSMo, and designated with the words
161 "salvage/abandoned property";

162 (51) "School bus", any motor vehicle used solely to transport students to or from school
163 or to transport students to or from any place for educational purposes;

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

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

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

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

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

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

190 (58) "Trailer", any vehicle without motive power designed for carrying property or
191 passengers on its own structure and for being drawn by a self-propelled vehicle, except those
192 running exclusively on tracks, including a semitrailer or vehicle of the trailer type so designed
193 and used in conjunction with a self-propelled vehicle that a considerable part of its own weight
194 rests upon and is carried by the towing vehicle. The term "trailer" shall not include cotton

195 trailers as defined in subdivision (8) of this section and shall not include manufactured homes
196 as defined in section 700.010, RSMo;

197 (59) "Truck", a motor vehicle designed, used, or maintained for the transportation of
198 property;

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

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

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

211 (63) "Vanpool", any van or other motor vehicle used or maintained by any person, group,
212 firm, corporation, association, city, county or state agency, or any member thereof, for the
213 transportation of not less than eight nor more than forty-eight employees, per motor vehicle, to
214 and from their place of employment; however, a vanpool shall not be included in the definition
215 of the term "bus" or "commercial motor vehicle" as defined by subdivisions (6) and (7) of this
216 section, nor shall a vanpool driver be deemed a "chauffeur" as that term is defined by section
217 302.010, RSMo; nor shall use of a vanpool vehicle for ride-sharing arrangements, recreational,
218 personal, or maintenance uses constitute an unlicensed use of the motor vehicle, unless used for
219 monetary profit other than for use in a ride-sharing arrangement;

220 (64) "Vehicle", any mechanical device on wheels, designed primarily for use, or used,
221 on highways, except motorized bicycles, vehicles propelled or drawn by horses or human power,
222 or vehicles used exclusively on fixed rails or tracks, or cotton trailers or motorized wheelchairs
223 operated by handicapped persons;

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

228 (66) "Wrecker or towing service", the act of transporting, towing or recovering with a
229 wrecker, tow truck, rollback or car carrier any vehicle not owned by the operator of the wrecker,
230 tow truck, rollback or car carrier for which the operator directly or indirectly receives

231 compensation or other personal gain.

304.001. As used in this chapter and chapter 307, RSMo, the following terms shall

2 mean:

3 (1) "Abandoned property", any unattended motor vehicle, trailer, all-terrain vehicle,
4 outboard motor or vessel removed or subject to removal from public or private property as
5 provided in sections 304.155 and 304.157, whether or not operational;

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

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

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

15 (5) "Department", the state [transportation] department **of transportation**;

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

18 (7) **"Interchange", a system of interconnecting roadways in conjunction with one
19 or more grade separations that provides for the movement of traffic between two or more
20 roadways or highways on different levels;**

21 (8) **"Intersection", where two or more roadways or highways meet at grade and
22 provide an area for the cross movement of vehicular traffic;**

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

27 [(8)] (10) "Members of the patrol", the superintendent, lieutenant colonel, majors,
28 captains, director of radio, lieutenants, sergeants, corporals and patrolmen of the Missouri state
29 highway patrol;

30 [(9)] (11) "Off-road vehicle", any vehicle designed for or capable of cross-country travel
31 on or immediately over land, water, ice, snow, marsh, swampland, or other natural terrain
32 without benefit of a road or trail:

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

34 a. Jeeps;

35 b. All-terrain vehicles;

- 36 c. Dune buggies;
- 37 d. Multiwheel drive or low-pressure tire vehicles;
- 38 e. Vehicle using an endless belt, or tread or treads, or a combination of tread and
39 low-pressure tires;
- 40 f. Motorcycles, trail bikes, minibikes and related vehicles;
- 41 g. Any other means of transportation deriving power from any source other than muscle
42 or wind; and
- 43 (b) Excluding the following:
- 44 a. Registered motorboats;
- 45 b. Aircraft;
- 46 c. Any military, fire or law enforcement vehicle;
- 47 d. Farm-type tractors and other self-propelled equipment for harvesting and transporting
48 farm or forest products;
- 49 e. Any vehicle being used for farm purposes, earth moving, or construction while being
50 used for such purposes on the work site;
- 51 f. Self-propelled lawnmowers, or lawn or garden tractors, or golf carts, while being used
52 exclusively for their designed purpose; and
- 53 g. Any vehicle being used for the purpose of transporting a handicapped person;
- 54 [(10)] (12) "Person", any natural person, corporation, or other legal entity;
- 55 [(11)] (13) "Right-of-way", the entire width of land between the boundary lines of a state
56 highway, including any roadway;
- 57 [(12)] (14) "Roadway", that portion of a state highway ordinarily used for vehicular
58 travel, exclusive of the berm or shoulder;
- 59 [(13)] (15) "State highway", a highway constructed or maintained by the state highways
60 and transportation commission with the aid of state funds or United States government funds,
61 or any highway included by authority of law in the state highway system, including all
62 right-of-way;
- 63 [(14)] (16) "Towing company", any person or entity which tows, removes or stores
64 abandoned property;
- 65 [(15)] (17) "Urbanized area", an area with a population of fifty thousand or more
66 designated by the Bureau of the Census, within boundaries to be fixed by the state highways and
67 transportation commission and local officials in cooperation with each other and approved by
68 the Secretary of Transportation. The boundary of an urbanized area shall, at a minimum,
69 encompass the entire urbanized area as designed by the Bureau of the Census.

304.015. 1. All vehicles not in motion shall be placed with their right side as near the
2 right-hand side of the highway as practicable, except on streets of municipalities where vehicles

3 are obliged to move in one direction only or parking of motor vehicles is regulated by ordinance.

4 2. Upon all public roads or highways of sufficient width a vehicle shall be driven upon
5 the right half of the roadway, except as follows:

6 (1) When overtaking and passing another vehicle proceeding in the same direction
7 pursuant to the rules governing such movement;

8 (2) When placing a vehicle in position for and when such vehicle is lawfully making a
9 left turn in compliance with the provisions of sections 304.014 to 304.026 or traffic regulations
10 thereunder or of municipalities;

11 (3) When the right half of a roadway is closed to traffic while under construction or
12 repair;

13 (4) Upon a roadway designated by local ordinance as a one-way street and marked or
14 signed for one-way traffic.

15 3. It is unlawful to drive any vehicle upon any highway or road which has been divided
16 into two or more roadways by means of a physical barrier or by means of a dividing section or
17 delineated by curbs, lines or other markings on the roadway, except to the right of such barrier
18 or dividing section, or to make any left turn or semicircular or U-turn on any such divided
19 highway, except [in a crossover or] **at an intersection or interchange or at any signed location**
20 **designated by the state highways and transportation commission or the department of**
21 **transportation. The provisions of this section shall not apply to emergency vehicles, law**
22 **enforcement vehicles or to vehicles owned by the commission or the department.**

23 4. The authorities in charge of any highway or the state highway patrol may erect signs
24 temporarily designating lanes to be used by traffic moving in a particular direction, regardless
25 of the center line of the highway, and all members of the Missouri highway patrol and other
26 peace officers may direct traffic in conformance with such signs. When authorized signs have
27 been erected designating off-center traffic lanes, no person shall disobey the instructions given
28 by such signs.

29 5. Whenever any roadway has been divided into three or more clearly marked lanes for
30 traffic, the following rules in addition to all others consistent herewith shall apply:

31 (1) A vehicle shall be driven as nearly as practicable entirely within a single lane and
32 shall not be moved from such lane until the driver has first ascertained that such movement can
33 be made with safety;

34 (2) Upon a roadway which is divided into three lanes a vehicle shall not be driven in the
35 center lane, except when overtaking and passing another vehicle where the roadway ahead is
36 clearly visible and such center lane is clear of traffic within a safe distance, or in preparation for
37 a left turn or where such center lane is at the time allocated exclusively to traffic moving in the
38 direction the vehicle is proceeding and is sign-posted to give notice of such allocation;

39 (3) Upon all highways any vehicle proceeding at less than the normal speed of traffic
40 thereon shall be driven in the right-hand lane for traffic or as close as practicable to the
41 right-hand edge or curb, except as otherwise provided in sections 304.014 to 304.026;

42 (4) Official signs may be erected by the highways and transportation commission or the
43 highway patrol may place temporary signs directing slow moving traffic to use a designated lane
44 or allocating specified lanes to traffic moving in the same direction and drivers of vehicles shall
45 obey the directions of every such sign;

46 (5) Drivers of vehicles proceeding in opposite directions shall pass each other to the
47 right, and except when a roadway has been divided into traffic lanes, each driver shall give to
48 the other at least one-half of the main traveled portion of the roadway whenever possible.

49 6. All vehicles in motion upon a highway having two or more lanes of traffic proceeding
50 in the same direction shall be driven in the right-hand lane except when overtaking and passing
51 another vehicle or when preparing to make a proper left turn or when otherwise directed by
52 traffic markings, signs or signals.

53 7. Violation of this section shall be deemed an infraction unless such violation causes
54 an immediate threat of an accident, in which case such violation shall be deemed a class C
55 misdemeanor, or unless an accident results from such violation, in which case such violation
56 shall be deemed a class A misdemeanor.

304.180. 1. No vehicle or combination of vehicles shall be moved or operated on any
2 [primary or interstate] **state** highway [in this state plus a distance not to exceed ten miles from
3 such highways,] having a greater weight than twenty thousand pounds on one axle, no
4 combination of vehicles operated by transporters of general freight over regular routes as defined
5 in section 390.020, RSMo, shall be moved or operated on any highway of this state having a
6 greater weight than the vehicle manufacturer's rating on a steering axle with the maximum
7 weight not to exceed twelve thousand pounds on a steering axle, and no vehicle shall be moved
8 or operated on any [primary or interstate] **state** highways [of this state] having a greater weight
9 than thirty-four thousand pounds on any tandem axle; the term "tandem axle" shall mean a group
10 of two or more axles, arranged one behind another, the distance between the extremes of which
11 is more than forty inches and not more than ninety-six inches [apart and further provided,
12 however, that when any vehicle or combination of vehicles with six axles which includes a
13 tandem axle group as above defined and a group of three axles which are fully equalized,
14 automatically or mechanically, and the distance between the center of the extremes of which does
15 not exceed one hundred ten inches, the chief engineer of the Missouri state transportation
16 department shall issue a special permit for the movement thereof, as provided in section 304.200,
17 for twenty thousand pounds for each axle of the tandem axle group and for sixteen thousand
18 pounds for each axle of the group of three fully equalized axles which are equalized,

19 automatically or mechanically, when said vehicle or combination of vehicles is used to transport
 20 excavation or construction machinery or equipment, road-building machinery or farm
 21 implements over routes in the primary system and other routes that are not a part of the interstate
 22 system of highways; provided, further, that the chief engineer of the Missouri state transportation
 23 department may issue permits on the interstate system].

24 2. An "axle load" is defined as the total load transmitted to the road by all wheels whose
 25 centers are included between two parallel transverse vertical planes forty inches apart, extending
 26 across the full width of the vehicle.

27 3. Subject to the limit upon the weight imposed upon a [primary or interstate] highway
 28 **of this state** through any one axle or on any tandem axle, the total gross weight with load
 29 imposed [upon a primary or interstate highway, plus a distance not to exceed ten miles from such
 30 highways,] by any group of two or more consecutive axles of any vehicle or combination of
 31 vehicles shall not exceed the maximum load in pounds as set forth in the following table:

32

33 Distance in feet between the extremes of any group of two or more consecutive axles, measured
 34 to the nearest foot, except where indicated otherwise

	Maximum load in pounds					
feet	2 axles	3 axles	4 axles	5 axles	6 axles	
4	34,000					
5	34,000					
6	34,000					
7	34,000					
8	34,000	34,000				
More than 8	38,000	42,000				
9	39,000	42,500				
10	40,000	43,500				
11	40,000	44,000				
12	40,000	45,000	50,000			
13	40,000	45,500	50,500			
14	40,000	46,500	51,500			
15	40,000	47,000	52,000			
16	40,000	48,000	52,500	58,000		
17	40,000	48,500	53,500	58,500		
18	40,000	49,500	54,000	59,000		
19	40,000	50,000	54,500	60,000		
20	40,000	51,000	55,500	60,500	66,000	

55	21	40,000	51,500	56,000	61,000	66,500
56	22	40,000	52,500	56,500	61,500	67,000
57	23	40,000	53,000	57,500	62,500	68,000
58	24	40,000	54,000	58,000	63,000	68,500
59	25	40,000	54,500	58,500	63,500	69,000
60	26	40,000	55,500	59,500	64,000	69,500
61	27	40,000	56,000	60,000	65,000	70,000
62	28	40,000	57,000	60,500	65,500	71,000
63	29	40,000	57,500	61,500	66,000	71,500
64	30	40,000	58,500	62,000	66,500	72,000
65	31	40,000	59,000	62,500	67,500	72,500
66	32	40,000	60,000	63,500	68,000	73,000
67	33	40,000	60,000	64,000	68,500	74,000
68	34	40,000	60,000	64,500	69,000	74,500
69	35	40,000	60,000	65,500	70,000	75,000
70	36		60,000	66,000	70,500	75,500
71	37		60,000	66,500	71,000	76,000
72	38		60,000	67,500	72,000	77,000
73	39		60,000	68,000	72,500	77,500
74	40		60,000	68,500	73,000	78,000
75	41		60,000	69,500	73,500	78,500
76	42		60,000	70,000	74,000	79,000
77	43		60,000	70,500	75,000	80,000
78	44		66,000	71,500	75,500	80,000
79	45		60,000	72,000	76,000	80,000
80	46		60,000	72,500	76,500	80,000
81	47		60,000	73,500	77,500	80,000
82	48		60,000	74,000	78,000	80,000
83	49		60,000	74,500	78,500	80,000
84	50		60,000	75,500	79,000	80,000
85	51		60,000	76,000	80,000	80,000
86	52		60,000	76,500	80,000	80,000
87	53		60,000	77,500	80,000	80,000
88	54		60,000	78,000	80,000	80,000
89	55		60,000	78,500	80,000	80,000
90	56		60,000	79,500	80,000	80,000

91	57	60,000	80,000	80,000	80,000
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93 Notwithstanding the above table, two consecutive sets of tandem axles may carry a gross load
94 of thirty-four thousand pounds each if the overall distance between the first and last axles of such
95 consecutive sets of tandem axles is thirty-six feet or more.

96 4. [Subject to the limit upon the weight imposed upon a supplementary highway through
97 any one axle which shall not have a weight greater than eighteen thousand pounds or on any
98 tandem axle which shall not have a weight greater than thirty-two thousand pounds, the total
99 gross weight with load imposed upon the supplementary highway by any vehicle or combination
100 of vehicles shall not exceed the gross weight given for the respective distance between the first
101 and last axle of a single motor vehicle or by the first axle of a motor vehicle and the last axle of
102 the last vehicle in any combination of vehicles measured longitudinally to the nearest foot as set
103 forth in the following table: Distance in feet between the Maximum load in extreme axles pounds

104	4	32,000
105	5	32,000
106	6	32,000
107	7	32,000
108	8	33,200
109	9	34,400
110	10	35,600
111	11	36,800
112	12	38,000
113	13	39,200
114	14	40,400
115	15	41,600
116	16	42,800
117	17	44,000
118	18	45,200
119	19	46,400
120	20	47,600
121	21	48,800
122	22	50,000
123	23	51,000
124	24	52,000
125	25	53,000
126	26	54,000
	27	55,000

127	28	56,000
128	29	57,000
129	30	58,000
130	31	59,000
131	32	60,000
132	33	61,100
133	34	62,200
134	35	63,500
135	36	64,600
136	37	65,900
137	38	67,100
138	39	68,300
139	40	69,700
140	41	70,800
141	42	72,000
142	43 or over	73,280

143 5. Provided, however, subject to the limit upon the weight imposed through any one axle,
144 through any tandem axle, as provided in subsection 4 of this section, the total gross weight with
145 load imposed upon any bridges generally considered by the state highways and transportation
146 commission to be on the supplementary system or upon any bridges which are under the
147 jurisdiction of and maintained by counties, townships or cities shall not exceed the gross weight
148 given for the respective distance between the first and last axle of the total group of axles
149 measured longitudinally to the nearest foot as set forth in the following table: Distance in feet
150 between the

151	Maximum load in extreme axles	pounds
152	4	32,000
153	5	32,000
154	6	32,000
155	7	32,000
156	8	32,610
157	9	33,580
158	10	34,550
159	11	35,510
160	12	36,470
161	13	37,420
162	14	38,360

163	15	39,300
164	16	40,230
165	17	41,160
166	18	42,080
167	19	42,990
168	20	43,900
169	21	44,800
170	22	45,700
171	23	46,590
172	24	47,470
173	25	48,350
174	26	49,220
175	27	50,090
176	28	50,950
177	29	51,800
178	30	52,650
179	31	53,490
180	32	54,330
181	33	55,160
182	34	55,980
183	35	56,800
184	36	57,610
185	37	58,420
186	38	59,220
187	39	60,010
188	40	60,800
189	41	61,580
190	42	62,360
191	43	63,130
192	44	63,890
193	45 or over	64,650

194

195 The state highways and transportation commission, with respect to bridges on the supplementary
196 system, or the person in charge of supervision or maintenance of the bridges on the county,
197 township or city roads and streets may determine and by official order declare that certain
198 designated bridges do not appear susceptible to unreasonable and unusual damage by reason of

199 such higher weight limits and may legally be subjected to the higher limits in this section.]
200 **Whenever the state highways and transportation commission finds that any bridge in the**
201 **state is in such a condition that use thereof by vehicles of weights specified in subsection**
202 **3 of this section will endanger the bridge or the users thereof, the commission may establish**
203 **maximum weight limits and speed limits for vehicles using such bridges. Notice of the**
204 **weight limits and speed limits established by the commission shall be given by posting signs**
205 **at a conspicuous place at each end of any such bridge.**

206 [6.] 5. Nothing in this section shall be construed as permitting lawful axle loads, tandem
207 axle loads or gross loads in excess of those permitted under the provisions of Section 127 of Title
208 23 of the United States Code.

209 [7. Additional routes may be designated by the state highways and transportation
210 commission for movement or operation by vehicles or combinations of vehicles having the
211 weights described in subsections 1 and 3 of this section.

212 8.] 6. Notwithstanding the weight limitations contained in this section, any vehicle or
213 combination of vehicles operating on highways other than the interstate highway system may
214 exceed single axle, tandem axle and gross weight limitations in an amount not to exceed two
215 thousand pounds. However, total gross weight shall not exceed eighty thousand pounds.

216 [9.] 7. Notwithstanding any provision of this section to the contrary, the department of
217 transportation shall issue a single-use special permit, or upon request of the owner of the truck
218 or equipment, shall issue an annual permit, for the transporting of any concrete pump truck or
219 well-drillers' equipment. The department of transportation shall set fees for the issuance of
220 permits pursuant to this subsection. Notwithstanding the provisions of section 301.133, RSMo,
221 concrete pump trucks or well-drillers' equipment may be operated on state maintained roads and
222 highways at any time on any day.

304.200. 1. The chief engineer of the state department of transportation, for good cause
2 shown and when the public safety or public interest so justifies, shall issue special permits for
3 vehicles or equipment exceeding the limitations on width, length, height and weight herein
4 specified, or which are unable to maintain minimum speed limits. Such permits shall be issued
5 only for a single trip or for a definite period, not beyond the date of expiration of the vehicle
6 registration, and shall designate the highways and bridges which may be used pursuant to the
7 authority of such permit.

8 2. The chief engineer of the state department of transportation shall upon proper
9 application and at no charge issue a special permit to any person allowing the movement on state
10 and federal highways of farm products between sunset and sunrise not in excess of fourteen feet
11 in width. Special permits allowing movement of oversize loads of farm products shall allow for
12 movement between sunset and sunrise, subject to appropriate requirements for safety lighting

13 on the load, appropriate limits on load dimensions and appropriate consideration of high traffic
14 density between sunset and sunrise on the route to be traveled. The chief engineer may also issue
15 upon proper application a special permit to any person allowing the movement on the state and
16 federal highways of vehicles hauling lumber products and earth-moving equipment [not in excess
17 of fourteen feet in width]. The chief engineer may also issue upon proper application a special
18 permit to any person allowing the movement on the state and federal highways of concrete pump
19 trucks or well-drillers equipment. For the purposes of this section, "farm products" shall have
20 the same meaning as provided in section 400.9-109, RSMo.

21 3. Rules and regulations for the issuance of special permits shall be prescribed by the
22 state highways and transportation commission and filed with the secretary of state. No rule or
23 portion of a rule promulgated pursuant to the authority of section 304.010 and this section shall
24 become effective unless it has been promulgated pursuant to the provisions of chapter 536,
25 RSMo.

26 4. The officer in charge of the maintenance of the streets of any municipality may issue
27 such permits for the use of the streets by such vehicles within the limits of such municipalities.

28 5. In order to transport manufactured homes, as defined in section 700.010, RSMo, on
29 the roads, highways, bridges and other thoroughfares within this state, only the applicable
30 permits required by this section shall be obtained.

304.580. 1. As used in this section, the term "construction zone" or "work zone" means
2 any area upon or around any highway as defined in section 302.010, RSMo, which is visibly
3 marked by the department of transportation as an area where construction, maintenance, or other
4 work is temporarily occurring.

5 2. Upon a conviction or a plea of guilty by any person for a moving violation as defined
6 in section 302.010, RSMo, or any offense listed in section 302.302, RSMo, the court shall assess
7 a fine of thirty-five dollars in addition to any other fine authorized to be imposed by law, if the
8 offense occurred within a construction zone or a work zone.

9 3. **Upon a conviction or plea of guilty by any person for a speeding violation**
10 **pursuant to either section 304.009 or 304.010, the court shall assess a fine of two hundred**
11 **fifty dollars in addition to any other fine authorized by law, if the offense occurred within**
12 **a construction zone or a work zone and at the time the speeding violation occurred there**
13 **was any person in such zone who was there to perform duties related to the reason for**
14 **which the area was designated a construction zone or work zone. However, no person**
15 **assessed an additional fine pursuant to this subsection shall also be assessed an additional**
16 **fine pursuant to subsection 2 of this section, and no person shall be assessed an additional**
17 **fine pursuant to this subsection if no signs have been posted pursuant to subsection 4 of**
18 **this section.**

19 **4. The penalty authorized by subsection 3 of this section shall only be assessed by**
20 **the court if the department of transportation or contractor performing work for the**
21 **department of transportation has erected signs upon or around a construction or work**
22 **zone which are clearly visible from the highway and which state substantially the following**
23 **message: "Warning: \$250 fine for speeding in this work zone".**

24 **5. During any day in which no person is present in a construction zone or work**
25 **zone established pursuant to subsection 3 of this section to perform duties related to the**
26 **purpose of the zone, the sign warning of additional penalties shall not be visible to**
27 **motorists. During any period of two hours or more in which no person is present in such**
28 **zone on a day in which persons have been or will be present to perform duties related to**
29 **the reason for which the area was designated as a construction zone or work zone, the sign**
30 **warning of additional penalties shall not be visible to motorists. The department of**
31 **transportation or contractor performing work for the department of transportation shall**
32 **be responsible for compliance with provisions of this subsection. Nothing in this subsection**
33 **shall prohibit warning or traffic control signs necessary for public safety in the**
34 **construction or work zone being visible to motorists at all times.**

35 **6. This section shall not be construed to enhance the assessment of court costs or the**
36 **assessment of points pursuant to section 302.302, RSMo.**