

SECOND REGULAR SESSION
HOUSE COMMITTEE SUBSTITUTE FOR
SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 707
97TH GENERAL ASSEMBLY

4810H.09C

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To repeal sections 301.010, 301.067, 301.227, 301.700, 304.015, 304.154, 304.190, and 578.120, RSMo, and to enact in lieu thereof eight new sections relating to motor vehicles, with an existing penalty provision.

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

Section A. Sections 301.010, 301.067, 301.227, 301.700, 304.015, 304.154, 304.190, and 578.120, RSMo, are repealed and eight new sections enacted in lieu thereof, to be known as sections 301.010, 301.067, 301.227, 301.700, 304.015, 304.154, 304.190, and 578.120, to read as follows:

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

- (1) "All-terrain vehicle", any motorized vehicle manufactured and used exclusively for off-highway use which is fifty inches or less in width, with an unladen dry weight of one thousand five hundred pounds or less, traveling on three, four or more nonhighway tires[, with a seat designed to be straddled by the operator, or with a seat designed to carry more than one person, and handlebars for steering control];
- (2) "Automobile transporter", any vehicle combination designed and used specifically for the transport of assembled motor vehicles;
- (3) "Axle load", the total load transmitted to the road by all wheels whose centers are included between two parallel transverse vertical planes forty inches apart, extending across the full width of the vehicle;

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

- 13 (4) "Boat transporter", any vehicle combination designed and used specifically to
14 transport assembled boats and boat hulls;
- 15 (5) "Body shop", a business that repairs physical damage on motor vehicles that are not
16 owned by the shop or its officers or employees by mending, straightening, replacing body parts,
17 or painting;
- 18 (6) "Bus", a motor vehicle primarily for the transportation of a driver and eight or more
19 passengers but not including shuttle buses;
- 20 (7) "Commercial motor vehicle", a motor vehicle designed or regularly used for carrying
21 freight and merchandise, or more than eight passengers but not including vanpools or shuttle
22 buses;
- 23 (8) "Cotton trailer", a trailer designed and used exclusively for transporting cotton at
24 speeds less than forty miles per hour from field to field or from field to market and return;
- 25 (9) "Dealer", any person, firm, corporation, association, agent or subagent engaged in
26 the sale or exchange of new, used or reconstructed motor vehicles or trailers;
- 27 (10) "Director" or "director of revenue", the director of the department of revenue;
- 28 (11) "Driveaway operation":
- 29 (a) The movement of a motor vehicle or trailer by any person or motor carrier other than
30 a dealer over any public highway, under its own power singly, or in a fixed combination of two
31 or more vehicles, for the purpose of delivery for sale or for delivery either before or after sale;
- 32 (b) The movement of any vehicle or vehicles, not owned by the transporter, constituting
33 the commodity being transported, by a person engaged in the business of furnishing drivers and
34 operators for the purpose of transporting vehicles in transit from one place to another by the
35 driveaway or towaway methods; or
- 36 (c) The movement of a motor vehicle by any person who is lawfully engaged in the
37 business of transporting or delivering vehicles that are not the person's own and vehicles of a
38 type otherwise required to be registered, by the driveaway or towaway methods, from a point of
39 manufacture, assembly or distribution or from the owner of the vehicles to a dealer or sales agent
40 of a manufacturer or to any consignee designated by the shipper or consignor;
- 41 (12) "Dromedary", a box, deck, or plate mounted behind the cab and forward of the fifth
42 wheel on the frame of the power unit of a truck tractor-semitrailer combination. A truck tractor
43 equipped with a dromedary may carry part of a load when operating independently or in a
44 combination with a semitrailer;
- 45 (13) "Farm tractor", a tractor used exclusively for agricultural purposes;
- 46 (14) "Fleet", any group of ten or more motor vehicles owned by the same owner;
- 47 (15) "Fleet vehicle", a motor vehicle which is included as part of a fleet;

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

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

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

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

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

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

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

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

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

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

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

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

83 (26) "Local log truck", a commercial motor vehicle which is registered pursuant to this
84 chapter to operate as a motor vehicle on the public highways of this state, used exclusively in this
85 state, used to transport harvested forest products, operated solely at a forested site and in an area
86 extending not more than a one hundred-mile radius from such site, carries a load with
87 dimensions not in excess of twenty-five cubic yards per two axles with dual wheels, and when
88 operated on the national system of interstate and defense highways described in Title 23, Section
89 103(e) of the United States Code, such vehicle shall not exceed the weight limits of section
90 304.180, does not have more than four axles, and does not pull a trailer which has more than two
91 axles. Harvesting equipment which is used specifically for cutting, felling, trimming, delimiting,
92 debarking, chipping, skidding, loading, unloading, and stacking may be transported on a local
93 log truck. A local log truck may not exceed the limits required by law, however, if the truck does
94 exceed such limits as determined by the inspecting officer, then notwithstanding any other
95 provisions of law to the contrary, such truck shall be subject to the weight limits required by such
96 sections as licensed for eighty thousand pounds;

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

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

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

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

- 119 (31) "Manufacturer", any person, firm, corporation or association engaged in the
120 business of manufacturing or assembling motor vehicles, trailers or vessels for sale;
- 121 (32) "Motor change vehicle", a vehicle manufactured prior to August, 1957, which
122 receives a new, rebuilt or used engine, and which used the number stamped on the original
123 engine as the vehicle identification number;
- 124 (33) "Motor vehicle", any self-propelled vehicle not operated exclusively upon tracks,
125 except farm tractors;
- 126 (34) "Motor vehicle primarily for business use", any vehicle other than a recreational
127 motor vehicle, motorcycle, motortricycle, or any commercial motor vehicle licensed for over
128 twelve thousand pounds:
- 129 (a) Offered for hire or lease; or
130 (b) The owner of which also owns ten or more such motor vehicles;
- 131 (35) "Motorcycle", a motor vehicle operated on two wheels;
- 132 (36) "Motorized bicycle", any two-wheeled or three-wheeled device having an automatic
133 transmission and a motor with a cylinder capacity of not more than fifty cubic centimeters, which
134 produces less than three gross brake horsepower, and is capable of propelling the device at a
135 maximum speed of not more than thirty miles per hour on level ground;
- 136 (37) "Motortricycle", a motor vehicle operated on three wheels, including a motorcycle
137 while operated with any conveyance, temporary or otherwise, requiring the use of a third wheel.
138 A motortricycle shall not be included in the definition of all-terrain vehicle;
- 139 (38) "Municipality", any city, town or village, whether incorporated or not;
- 140 (39) "Nonresident", a resident of a state or country other than the state of Missouri;
- 141 (40) "Non-USA-std motor vehicle", a motor vehicle not originally manufactured in
142 compliance with United States emissions or safety standards;
- 143 (41) "Operator", any person who operates or drives a motor vehicle;
- 144 (42) "Owner", any person, firm, corporation or association, who holds the legal title to
145 a vehicle or in the event a vehicle is the subject of an agreement for the conditional sale or lease
146 thereof with the right of purchase upon performance of the conditions stated in the agreement
147 and with an immediate right of possession vested in the conditional vendee or lessee, or in the
148 event a mortgagor of a vehicle is entitled to possession, then such conditional vendee or lessee
149 or mortgagor shall be deemed the owner for the purpose of this law;
- 150 (43) "Public garage", a place of business where motor vehicles are housed, stored,
151 repaired, reconstructed or repainted for persons other than the owners or operators of such place
152 of business;
- 153 (44) "Rebuilder", a business that repairs or rebuilds motor vehicles owned by the
154 rebuilder, but does not include certificated common or contract carriers of persons or property;

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

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

164 (47) "Recreational off-highway vehicle", any motorized vehicle manufactured and used
165 exclusively for off-highway use which is [sixty-four] **more than fifty** inches [or less] **but no**
166 **more than sixty-seven inches** in width, with an unladen dry weight of two thousand pounds or
167 less, traveling on four or more nonhighway tires[, with a nonstraddle seat, and steering wheel,]
168 **and** which may have access to ATV trails;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

217 (55) "Special mobile equipment", every self-propelled vehicle not designed or used
218 primarily for the transportation of persons or property and incidentally operated or moved over
219 the highways, including farm equipment, implements of husbandry, road construction or
220 maintenance machinery, ditch-digging apparatus, stone crushers, air compressors, power shovels,
221 cranes, graders, rollers, well-drillers and wood-sawing equipment used for hire, asphalt
222 spreaders, bituminous mixers, bucket loaders, ditchers, leveling graders, finished machines,
223 motor graders, road rollers, scarifiers, earth-moving carryalls, scrapers, drag lines, concrete pump
224 trucks, rock-drilling and earth-moving equipment. This enumeration shall be deemed partial and

225 shall not operate to exclude other such vehicles which are within the general terms of this
226 section;

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

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

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

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

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

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

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

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

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

259 (65) "Utility vehicle", any motorized vehicle manufactured and used exclusively for
260 off-highway use which is [sixty-three] **more than fifty** inches [or less] **but no more than sixty-**

261 **seven inches** in width, with an unladen dry weight of [one] **two** thousand [eight hundred fifty]
262 pounds or less, traveling on four or six wheels, to be used primarily for landscaping, lawn care,
263 or maintenance purposes;

264 (66) "Vanpool", any van or other motor vehicle used or maintained by any person, group,
265 firm, corporation, association, city, county or state agency, or any member thereof, for the
266 transportation of not less than eight nor more than forty-eight employees, per motor vehicle, to
267 and from their place of employment; however, a vanpool shall not be included in the definition
268 of the term bus or commercial motor vehicle as defined by subdivisions (6) and (7) of this
269 section, nor shall a vanpool driver be deemed a chauffeur as that term is defined by section
270 303.020; nor shall use of a vanpool vehicle for ride-sharing arrangements, recreational, personal,
271 or maintenance uses constitute an unlicensed use of the motor vehicle, unless used for monetary
272 profit other than for use in a ride-sharing arrangement;

273 (67) "Vehicle", any mechanical device on wheels, designed primarily for use, or used,
274 on highways, except motorized bicycles, vehicles propelled or drawn by horses or human power,
275 or vehicles used exclusively on fixed rails or tracks, or cotton trailers or motorized wheelchairs
276 operated by handicapped persons;

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

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

301.067. 1. For each trailer or semitrailer there shall be paid an annual fee of seven
2 dollars fifty cents, and in addition thereto such permit fee authorized by law against trailers used
3 in combination with tractors operated under the supervision of the motor carrier and railroad
4 safety division of the department of economic development. The fees for tractors used in any
5 combination with trailers or semitrailers or both trailers and semitrailers (other than on
6 passenger-carrying trailers or semitrailers) shall be computed on the total gross weight of the
7 vehicles in the combination with load.

8 2. Any trailer or semitrailer may at the option of the registrant be registered for a period
9 of three years upon payment of a registration fee of twenty-two dollars and fifty cents.

10 3. Any trailer as defined in section 301.010 or semitrailer [which is operated coupled to
11 a towing vehicle by a fifth wheel and kingpin assembly or by a trailer converter dolly] may, at
12 the option of the registrant, be registered permanently upon the payment of a registration fee of

13 fifty-two dollars and fifty cents. The permanent plate and registration fee is vehicle specific.
14 The plate and the registration fee paid is nontransferable and nonrefundable, except those
15 covered under the provisions of section 301.442.

301.227. 1. Whenever a vehicle is sold for salvage, dismantling or rebuilding, the
2 purchaser shall forward to the director of revenue within ten days the certificate of ownership
3 or salvage certificate of title and the proper application and fee of eight dollars and fifty cents,
4 and the director shall issue a negotiable salvage certificate of title to the purchaser of the
5 salvaged vehicle. On vehicles purchased during a year that is no more than six years after the
6 manufacturer's model year designation for such vehicle, it shall be mandatory that the purchaser
7 apply for a salvage title. On vehicles purchased during a year that is more than six years after
8 the manufacturer's model year designation for such vehicle, then application for a salvage title
9 shall be optional on the part of the purchaser. Whenever a vehicle is sold for destruction and a
10 salvage certificate of title, junking certificate, or certificate of ownership exists, the seller, if
11 licensed under sections 301.217 to 301.221, shall forward the certificate to the director of
12 revenue within ten days, with the notation of the date sold for destruction and the name of the
13 purchaser clearly shown on the face of the certificate.

14 2. Whenever a vehicle is classified as "junk", as defined in section 301.010, the
15 purchaser may forward to the director of revenue the salvage certificate of title or certificate of
16 ownership and the director shall issue a negotiable junking certificate [to the purchaser of the
17 vehicle] **which shall authorize the holder to possess, transport, or, by assignment, transfer**
18 **ownership in such parts, scrap, or junk.** The director may also issue a junking certificate to
19 a possessor of a vehicle manufactured twenty-six years or more prior to the current model year
20 who has a bill of sale for said vehicle but does not possess a certificate of ownership, provided
21 no claim of theft has been made on the vehicle and the highway patrol has by letter stated the
22 vehicle is not listed as stolen after checking the registration number through its nationwide
23 computer system. Such certificate may be granted within thirty days of the submission of a
24 request.

25 3. [Upon receipt of a properly completed application for a junking certificate, the director
26 of revenue shall issue to the applicant a junking certificate which shall authorize the holder to
27 possess, transport, or, by assignment, transfer ownership in such parts, scrap or junk, and a
28 certificate of title shall not again be issued for such vehicle; except that, the initial purchaser]
29 **Notwithstanding any other provision of law, for any vehicle with a junk or substantially**
30 **equivalent designation, whether so designated in Missouri or any other state, regardless**
31 **of whether such designation has been subsequently changed erroneously or by law in this**
32 **or any other state, the department shall only issue a junking certificate, and a salvage or**
33 **original certificate of title shall not thereafter be issued for such vehicle. If the vehicle has**

34 **not previously been designated as junk or any other substantially equivalent designation**
35 **from this state or any other state, the applicant making the original junking certification**
36 **application** shall, within ninety days, be allowed to rescind [his] **the** application for a junking
37 certificate by surrendering the junking certificate and apply for a salvage certificate of title in
38 [his] **the applicant's** name. The seller of a vehicle for which a junking certificate has been
39 applied for or issued shall disclose such fact in writing to any prospective buyers before sale of
40 such vehicle; otherwise the sale shall be voidable at the option of the buyer.

41 4. No scrap metal operator shall acquire or purchase a motor vehicle or parts thereof
42 without, at the time of such acquisition, receiving the original certificate of title or salvage
43 certificate of title or junking certificate from the seller of the vehicle or parts, unless the seller
44 is a licensee under sections 301.219 to 301.221.

45 5. All titles and certificates required to be received by scrap metal operators from
46 nonlicensees shall be forwarded by the operator to the director of revenue within ten days of the
47 receipt of the vehicle or parts.

48 6. The scrap metal operator shall keep a record, for three years, of the seller's name and
49 address, the salvage business license number of the licensee, date of purchase, and any vehicle
50 or parts identification numbers open for inspection as provided in section 301.225.

51 7. Notwithstanding any other provision of this section, a motor vehicle dealer as defined
52 in section 301.550 and licensed under the provisions of sections 301.550 to 301.572 may
53 negotiate one reassignment of a salvage certificate of title on the back thereof.

54 8. Notwithstanding the provisions of subsection 1 of this section, an insurance company
55 which settles a claim for a stolen vehicle may apply for and shall be issued a negotiable salvage
56 certificate of title without the payment of any fee upon proper application within thirty days after
57 settlement of the claim for such stolen vehicle. However, if the insurance company upon
58 recovery of a stolen vehicle determines that the stolen vehicle has not sustained damage to the
59 extent that the vehicle would have otherwise been declared a salvage vehicle pursuant to
60 subdivision (51) of section 301.010, then the insurance company may have the vehicle inspected
61 by the Missouri state highway patrol, or other law enforcement agency authorized by the director
62 of revenue, in accordance with the inspection provisions of subsection 9 of section 301.190.
63 Upon receipt of title application, applicable fee, the completed inspection, and the return of any
64 previously issued negotiable salvage certificate, the director shall issue an original title with no
65 salvage or prior salvage designation. Upon the issuance of an original title the director shall
66 remove any indication of the negotiable salvage title previously issued to the insurance company
67 from the department's electronic records.

68 [9. Notwithstanding subsection 4 of this section or any other provision of the law to the
69 contrary, if a motor vehicle is inoperable and is at least ten model years old, or the parts are from

70 a motor vehicle that is inoperable and is at least ten model years old, a scrap metal operator may
71 purchase or acquire such motor vehicle or parts without receiving the original certificate of title,
72 salvage certificate of title, or junking certificate from the seller of the vehicle or parts, provided
73 the scrap metal operator verifies with the department of revenue, via the department's online
74 record access, that the motor vehicle is not subject to any recorded security interest or lien and
75 the scrap metal operator complies with the requirements of this subsection. In lieu of forwarding
76 certificates of titles for such motor vehicles as required by subsection 5 of this section, the scrap
77 metal operator shall forward a copy of the seller's state identification along with a bill of sale to
78 the department of revenue. The bill of sale form shall be designed by the director and such form
79 shall include, but not be limited to, a certification that the motor vehicle is at least ten model
80 years old, is inoperable, is not subject to any recorded security interest or lien, and a certification
81 by the seller that the seller has the legal authority to sell or otherwise transfer the seller's interest
82 in the motor vehicle or parts. Upon receipt of the information required by this subsection, the
83 department of revenue shall cancel any certificate of title and registration for the motor vehicle.
84 If the motor vehicle is inoperable and at least twenty model years old, then the scrap metal
85 operator shall not be required to verify with the department of revenue whether the motor vehicle
86 is subject to any recorded security interests or liens. As used in this subsection, the term
87 "inoperable" means a motor vehicle that is in a rusted, wrecked, discarded, worn out, extensively
88 damaged, dismantled, and mechanically inoperative condition and the vehicle's highest and best
89 use is for scrap purposes. The director of the department of revenue is directed to promulgate
90 rules and regulations to implement and administer the provisions of this section, including but
91 not limited to, the development of a uniform bill of sale. Any rule or portion of a rule, as that
92 term is defined in section 536.010, that is created under the authority delegated in this section
93 shall become effective only if it complies with and is subject to all of the provisions of chapter
94 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any
95 of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the
96 effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the
97 grant of rulemaking authority and any rule proposed or adopted after August 28, 2012, shall be
98 invalid and void.]

301.700. All-terrain vehicles shall be treated in the same manner as motor vehicles,
2 pursuant to this chapter, for the purposes of transfer, titling, perfection of liens and
3 encumbrances, and the collection of all taxes, fees and other charges. Funds collected by the
4 department of revenue pursuant to sections 301.700 to 301.714 shall be deposited by the director
5 in the state treasury to the credit of the general revenue fund. **An applicant that purchases a**
6 **used all-terrain vehicle after August 28, 2014, that was defined as a utility or recreation off-**
7 **highway vehicle prior to August 28, 2014, may present a notarized bill of sale as evidence**

8 **of lawful ownership when a certificate of title has not been issued for such all-terrain**
9 **vehicle.**

2 304.015. 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 304.025 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 at an intersection or interchange or at any signed location designated by the state
20 highways and transportation commission or the department of transportation. The provisions
21 of this subsection shall not apply to emergency vehicles, law enforcement vehicles or to vehicles
22 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 right-
41 hand edge or curb, except as otherwise provided in sections 304.014 to 304.025;

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. [All trucks registered for a gross weight of more than forty-eight thousand pounds
54 shall not be driven in the far left-hand lane upon all interstate highways, freeways, or
55 expressways within urbanized areas of the state having three or more lanes of traffic proceeding
56 in the same direction. This restriction shall not apply when:

57 (1) It is necessary for the operator of the truck to follow traffic control devices that direct
58 use of a lane other than the right lane; or

59 (2) The right half of a roadway is closed to traffic while under construction or repair.

60 8. As used in subsection 7 of this section, "truck" means any vehicle, machine, tractor,
61 trailer, or semitrailer, or any combination thereof, propelled or drawn by mechanical power and
62 designed for or used in the transportation of property upon the highways. The term "truck" also
63 includes a commercial motor vehicle as defined in section 301.010.

64 9.] Violation of this section shall be deemed a class C misdemeanor unless such
65 violation causes an immediate threat of an accident, in which case such violation shall be deemed
66 a class B misdemeanor, or unless an accident results from such violation, in which case such
67 violation shall be deemed a class A misdemeanor.

304.154. 1. Beginning January 1, [2005] **2014**, a towing company operating a tow truck
2 pursuant to the authority granted in section 304.155 or 304.157 shall:

3 (1) Have and occupy a verifiable business address **and display such address in a**
4 **location visible from the street;**

5 (2) Have a fenced, secure, and lighted storage lot or an enclosed, secure building for the
6 storage of motor vehicles, **with a total area for storing vehicles, either inside or outside, of**
7 **at least two thousand square feet and fencing a minimum of seven feet high;**

8 (3) **Be open for a minimum of eight hours per day between the hours of 7:00 a.m.**
9 **and 7:00 p.m., Monday through Friday, for a customer or his or her authorized agent to**
10 **view and retrieve a vehicle, with no additional fees charged to view or retrieve a vehicle**
11 **during these regular business hours;**

12 (4) Be available twenty-four hours a day, seven days a week. Availability shall mean
13 that an employee of the towing company or an answering service answered by a person is able
14 to respond to a tow request;

15 (5) **Have and maintain an operational telephone with the telephone number**
16 **published or available through directory assistance;**

17 [(4)] (6) Maintain a valid insurance policy issued by an insurer authorized to do business
18 in this state, or a bond or other acceptable surety providing coverage for the death of, or injury
19 to, persons and damage to property for each accident or occurrence in the amount [of at least five
20 hundred thousand dollars per incident] **prescribed by the United States Department of**
21 **Transportation;**

22 [(5)] (7) Provide workers' compensation insurance for all employees of the towing
23 company if required by chapter 287; [and]

24 [(6)] (8) Maintain current motor vehicle registrations on all tow trucks currently
25 operated within the towing company fleet.

26 2. **The initial tow performed under sections 304.155 and 304.157 shall remain in the**
27 **state of Missouri unless authorized by the vehicle owner or their agent.**

28 3. **Tows performed under section 304.155 shall not be dispatched through a third**
29 **party dispatch system or management company, unless hired by the towing company.**

30 4. Counties may adopt ordinances with respect to towing company standards in addition
31 to the minimum standards contained in this section. A towing company located in a county of
32 the second, third, [and] or fourth classification or located in any county of the first
33 classification with more than one hundred one thousand but fewer than one hundred
34 fifteen thousand inhabitants or located in any county of the third classification without a
35 township form of government and with more than twenty-three thousand but fewer than
36 twenty-six thousand inhabitants and with a city of the fourth classification with more than
37 two thousand four hundred but fewer than two thousand seven hundred inhabitants as the
38 county seat is exempt from the provisions of this section.

2 304.190. 1. No motor vehicle, unladen or with load, operating exclusively within the
2 corporate limits of cities containing seventy-five thousand inhabitants or more or within two
3 miles of the corporate limits of the city or within the commercial zone of the city shall exceed
4 fifteen feet in height.

5 2. No motor vehicle operating exclusively within any said area shall have a greater
6 weight than twenty-two thousand four hundred pounds on one axle.

7 3. The "commercial zone" of the city is defined to mean that area within the city together
8 with the territory extending one mile beyond the corporate limits of the city and one mile
9 additional for each fifty thousand population or portion thereof provided, however:

10 (1) The commercial zone surrounding a city not within a county shall extend twenty-five
11 miles beyond the corporate limits of any such city not located within a county and shall also
12 extend throughout any county with a charter form of government which adjoins that city and
13 throughout any county with a charter form of government and with more than two hundred fifty
14 thousand but fewer than three hundred fifty thousand inhabitants that is adjacent to such county
15 adjoining such city;

16 (2) The commercial zone of a city with a population of at least four hundred thousand
17 inhabitants but not more than four hundred fifty thousand inhabitants shall extend twelve miles
18 beyond the corporate limits of any such city; except that this zone shall extend from the southern
19 border of such city's limits, beginning with the western-most freeway, following said freeway
20 south to the first intersection with a multilane undivided highway, where the zone shall extend
21 south along said freeway to include a city of the fourth classification with more than eight
22 thousand nine hundred but less than nine thousand inhabitants, and shall extend north from the
23 intersection of said freeway and multilane undivided highway along the multilane undivided
24 highway to the city limits of a city with a population of at least four hundred thousand inhabitants
25 but not more than four hundred fifty thousand inhabitants, and shall extend east from the city
26 limits of a special charter city with more than two hundred seventy-five but fewer than three
27 hundred seventy-five inhabitants along State Route 210 and northwest from the intersection of
28 State Route 210 and State Route 10 to include the boundaries of any city of the third
29 classification with more than ten thousand eight hundred but fewer than ten thousand nine
30 hundred inhabitants and located in more than one county. The commercial zone shall continue
31 east along State Route 10 from the intersection of State Route 10 and State Route 210 to the
32 eastern city limit of a city of the fourth classification with more than five hundred fifty but fewer
33 than six hundred twenty-five inhabitants and located in any county of the third classification
34 without a township form of government and with more than twenty-three thousand but fewer
35 than twenty-six thousand inhabitants and with a city of the third classification with more than
36 five thousand but fewer than six thousand inhabitants as the county seat. The commercial zone

37 described in this subdivision shall be extended to also include the stretch of State Route 45 from
38 its intersection with Interstate 29 extending northwest to the city limits of any village with more
39 than forty but fewer than fifty inhabitants and located in any county of the first classification with
40 more than eighty-three thousand but fewer than ninety-two thousand inhabitants and with a city
41 of the fourth classification with more than four thousand five hundred but fewer than five
42 thousand inhabitants as the county seat;

43 (3) The commercial zone of a city of the third classification with more than nine
44 thousand six hundred fifty but fewer than nine thousand eight hundred inhabitants shall extend
45 south from the city limits along U.S. Highway 61 to the intersection of State Route OO in a
46 county of the third classification without a township form of government and with more than
47 seventeen thousand eight hundred but fewer than seventeen thousand nine hundred inhabitants;

48 (4) **The commercial zone of a home rule city with more than one hundred eight**
49 **thousand but fewer than one hundred sixteen thousand inhabitants shall extend north**
50 **from the city limits along U.S. Highway 63 for eight miles, and shall extend east from the**
51 **city limits along State Route WW to the intersection of State Route J and continue south**
52 **on State Route J for four miles.**

53 4. In no case shall the commercial zone of a city be reduced due to a loss of population.
54 The provisions of this section shall not apply to motor vehicles operating on the interstate
55 highways in the area beyond two miles of a corporate limit of the city unless the United States
56 Department of Transportation increases the allowable weight limits on the interstate highway
57 system within commercial zones. In such case, the mileage limits established in this section shall
58 be automatically increased only in the commercial zones to conform with those authorized by
59 the United States Department of Transportation.

60 5. Nothing in this section shall prevent a city, county, or municipality, by ordinance,
61 from designating the routes over which such vehicles may be operated.

62 6. No motor vehicle engaged in interstate commerce, whether unladen or with load,
63 whose operations in the state of Missouri are limited exclusively to the commercial zone of a
64 first class home rule municipality located in a county with a population between eighty thousand
65 and ninety-five thousand inhabitants which has a portion of its corporate limits contiguous with
66 a portion of the boundary between the states of Missouri and Kansas, shall have a greater weight
67 than twenty-two thousand four hundred pounds on one axle, nor shall exceed fifteen feet in
68 height.

578.120. 1. Notwithstanding any provision in this chapter to the contrary, no dealer,
2 distributor or manufacturer licensed under section 301.559 may keep open, operate, or assist in
3 keeping open or operating any established place of business for the purpose of buying, selling,
4 bartering or exchanging, or offering for sale, barter or exchange, any motor vehicle, whether new

5 or used, on Sunday. However, this section does not apply to the sale of manufactured housing;
6 the sale of recreational motor vehicles; **the sale of motorcycles as that term is defined in**
7 **section 301.010; the sale of motortricycles, motorized bicycles, all-terrain vehicles,**
8 **recreational off-highway vehicles, utility vehicles, personal watercraft, or other motorized**
9 **vehicles customarily sold by powersports dealer licensed pursuant to section 301.550 to**
10 **301.560;** washing, towing, wrecking or repairing operations; the sale of petroleum products,
11 tires, and repair parts and accessories; or new vehicle shows or displays participated in by five
12 or more franchised dealers or in towns or cities with five or fewer dealers, a majority.

13 2. No association consisting of motor vehicle dealers, distributors or manufacturers
14 licensed under section 301.559 shall be in violation of antitrust or restraint of trade statutes under
15 chapter 416 or regulation promulgated thereunder solely because it encourages its members not
16 to open or operate on Sunday a place of business for the purpose of buying, selling, bartering or
17 exchanging any motor vehicle.

18 3. Any person who violates the provisions of this section shall be guilty of a class C
19 misdemeanor.

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