

HCS SS SCS SB 707 -- MOTOR VEHICLES

SPONSOR: Wasson (Guernsey)

COMMITTEE ACTION: Voted "Do Pass" by the Committee on Agri-Business by a vote of 14 to 0.

This bill changes the laws regarding motor vehicles.

OFF-HIGHWAY VEHICLES (Sections 301.010 and 301.700, RSMo)

The bill modifies the definitions of "all-terrain vehicle," "recreational off-highway vehicle," and "utility vehicle." For all-terrain vehicles, the requirements that the vehicle have handlebars for steering and the seat requirement have been removed. For recreational off-highway vehicles the allowable width has been changed from less than 64 inches to between 50 inches and 67 inches. For utility vehicles the allowable width has been changed from less than 63 inches to between 50 inches and 67 inches and allowable weight of the utility vehicle has been increased from 1,850 pounds to 2,000 pounds or less to match the recreational off-highway vehicle.

The bill also provides that owners of all-terrain vehicles classified as utility vehicles or recreational off-highway vehicles prior to August 28, 2014, can present a notarized bill of sale as evidence of lawful ownership for purposes of applying for title when a certificate of title has not been previously issued.

MOTOR VEHICLE JUNKING CERTIFICATES (Sections 301.067 and 301.227)

Currently, upon receipt of a properly completed application for a motor vehicle junking certificate, the Director of the Department of Revenue must issue a junking certificate to the applicant authorizing the holder to possess, transport, or transfer ownership by assignment in the parts, scrap, or junk, and a certificate of title cannot again be issued for the vehicle except that the initial purchaser must be allowed to rescind the application within 90 days.

The bill repeals those provisions and specifies that the Department of Revenue can only issue a junking certificate for a motor vehicle that has been designated as junk or any substantially equivalent designation, regardless of whether the designation was made in Missouri or any other state. The department cannot issue a salvage certificate or an original certificate of title if the motor vehicle has been designated as junk in any state. If a vehicle has not previously been designated as junk or any other substantially equivalent designation from any state, an applicant making the

original junking certification application must be allowed to rescind the application within 90 days by surrendering the junking certificate and applying for a salvage certificate of title in the applicant's name.

Currently, only a trailer as defined in Section 301.010 or semitrailer which is operated coupled to a towing vehicle by a fifth wheel and kingpin assembly or by a trailer converter dolly may be registered permanently. The bill repeals that provision and allows all trailers as defined in Section 301.010 or semitrailers to be registered permanently.

TRAFFIC REGULATION (Section 304.015)

Currently, a truck registered for a gross weight of over 48,000 pounds must not be driven in the far left-hand lane of a highway, freeway, or expressway in an urban area with three or more lanes of traffic except in specified situations. The bill allows a truck registered for a gross weight of over 48,000 pounds to drive in the far left-hand lane on any interstate highway, freeway, or expressway in Missouri.

TOW TRUCK COMPANY REQUIREMENTS (Section 304.154)

The bill requires a towing company to:

- (1) Have an address displayed that is visible from the street;
- (2) Have a fenced storage area that is at least 7 foot tall with at least 2,000 square feet of storage area, either inside or outside;
- (3) Be open at least eight hours per day between 7:00 a.m. and 7:00 p.m., Monday through Friday, for cars to be retrieved with no additional fees charged to view or retrieve a vehicle during these hours;
- (4) Have an operational telephone with the number published or available through directory assistance; and
- (5) Maintain insurance as prescribed by the United States Department of Transportation.

The initial tow must remain in the state unless authorized by the vehicle owner or their agent.

Tows may not be dispatched through a third party dispatch system or management company, unless hired by the towing company.

Currently, towing companies in second, third, and fourth classification counties are exempt from these requirements. The bill adds Franklin and Washington counties to the list of counties that are exempt.

VEHICLE HEIGHT AND WEIGHT LIMITS (Section 304.190)

The bill changes the laws regarding motor vehicle height and weight limits for the commercial zones in the city of Columbia. The bill creates a 15-foot height limitation and a 22,400 pound weight limitation for any motor vehicle within the commercial zone of Columbia. The commercial zone extends from the city limits along U.S. Highway 63 for 8 miles, and extends east from the city limits along State Route WW to the intersection of State Route J and continues south on State Route J for four miles.

MOTORCYCLE SALES ON SUNDAY (Section 578.120)

Currently, a business that sells motor vehicles cannot be open on Sunday in Missouri. This bill creates an exception to allow the sale of motorcycles, motortricycles, motorized bicycles, all-terrain vehicles, recreational off-highway vehicles, utility vehicles, personal watercraft, or other motorized vehicles customarily sold by power sports dealers on Sundays.

PROPONENTS: Supporters say that this bill brings the definitions up to date with the types of vehicles on the market. Currently, ATV parks in Missouri do not allow people to ride certain vehicles in the parks due to the current definitions.

Testifying for the bill were Senator Wasson; Polaris Industries; and Missouri Power Sports Dealers Association.

OPPONENTS: There was no opposition voiced to the committee.