

JOURNAL OF THE HOUSE

First Regular Session, 99th GENERAL ASSEMBLY

SIXTY-FIRST DAY, TUESDAY, APRIL 25, 2017

The House met pursuant to adjournment.

Speaker Richardson in the Chair.

Prayer by Reverend Monsignor Robert A. Kurwicky, Chaplain.

There will be glory and honor and peace for everyone who does good. (Romans 2:10)

Eternal God, Our Creator, without whose blessing all our labor is in vain, grant that in the decisions and votes we make we may be mindful of Your presence and eager to do Your will. Inspire us with a faith that never falters, a faithfulness that never fails, and a fidelity that never fades as we endeavor to do our duty for the good of our Show-Me State.

Kindle in the hearts of all Missourians a true love for peace, a sincere desire for the triumph of truth, and an increasing concern for the welfare of all citizens, so may Your kingdom go forward, Your will be done, and love live in the hearts of Your children and our elders.

And the House says, "Amen!"

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Isaac Dacus and Zeke Vannoy.

The Journal of the sixtieth day was approved as printed by the following vote:

AYES: 135

Adams	Alferman	Anders	Anderson	Andrews
Arthur	Austin	Bahr	Bangert	Baringer
Barnes 60	Barnes 28	Basye	Beck	Berry
Black	Bondon	Brattin	Brown 27	Brown 57
Brown 94	Burnett	Burns	Chipman	Cierpiot
Conway 10	Conway 104	Cookson	Corlew	Cornejo
Crawford	Cross	Curtis	Curtman	Davis
Dogan	Dohrman	Dunn	Eggleston	Ellebracht
Engler	Evans	Fitzpatrick	Fitzwater 144	Fitzwater 49
Fraker	Francis	Franklin	Franks Jr	Frederick
Gannon	Green	Grier	Haahr	Haefner
Hannegan	Hansen	Harris	Helms	Henderson
Higdon	Hill	Houghton	Houx	Hurst
Johnson	Justus	Kelley 127	Kelly 141	Kendrick
Kidd	Korman	Lant	Lauer	Lavender

Lichtenegger	Love	Lynch	Marshall	Mathews
Matthiesen	McCaherty	McCann Beatty	McCreery	McGaugh
McGee	Meredith 71	Merideth 80	Messenger	Miller
Moon	Morgan	Morris	Mosley	Muntzel
Neely	Newman	Nichols	Pfausch	Phillips
Pierson Jr	Pike	Plocher	Pogue	Quade
Razer	Redmon	Reiboldt	Reisch	Remole
Rhoads	Roden	Roeber	Rone	Ross
Rowland 29	Runions	Ruth	Schroer	Shaul 113
Shull 16	Shumake	Smith 163	Stevens 46	Swan
Taylor	Unsicker	Vescovo	Walker 3	Wessels
White	Wiemann	Wilson	Wood	Mr. Speaker

NOES: 001

McDaniel

PRESENT: 000

ABSENT WITH LEAVE: 026

Beard	Bernskoetter	Butler	Carpenter	Christofanelli
DeGroot	Ellington	Gray	Gregory	Hubrecht
Kolkmeier	May	Mitten	Peters	Pietzman
Rehder	Roberts	Rowland 155	Smith 85	Sommer
Spencer	Stacy	Stephens 128	Tate	Trent
Walker 74				

VACANCIES: 001

SPECIAL RECOGNITION

Stephen Bridges, British Consul General in Chicago, was introduced by Speaker Richardson.

Consul General Bridges addressed the House.

SIGNING OF HOUSE BILL

All other business of the House was suspended while **HB 34** was read at length and, there being no objection, was signed by the Speaker to the end that the same may become law.

Having been duly signed in open session of the Senate, **HB 34** was delivered to the Governor by the Chief Clerk of the House.

THIRD READING OF SENATE BILLS

SB 8, relating to flashing lights used by motor vehicles and equipment, was taken up by Representative Rhoads.

Representative Brattin offered **House Amendment No. 1**.

House Amendment No. 1

AMEND Senate Bill No. 8, Page 1, Section A, Line 2, by inserting immediately after all of said section and line the following:

"304.170. 1. No vehicle operated upon the highways of this state shall have a width, including load, in excess of one hundred two inches, except clearance lights, rearview mirrors or other accessories required by federal, state or city law or regulation. Provided however, a recreational vehicle as defined in section 700.010 may exceed the foregoing width limits if the appurtenances on such recreational vehicle extend no further than the rearview mirrors. Such mirrors may only extend the distance necessary to provide the required field of view before the appurtenances were attached.

2. No vehicle operated upon the interstate highway system or upon any route designated by the chief engineer of the state transportation department shall have a height, including load, in excess of fourteen feet. On all other highways, no vehicle shall have a height, including load, in excess of thirteen and one-half feet, except that any vehicle or combination of vehicles transporting automobiles or other motor vehicles may have a height, including load, of not more than fourteen feet.

3. No single motor vehicle operated upon the highways of this state shall have a length, including load, in excess of forty-five feet, except as otherwise provided in this section.

4. No bus, recreational motor vehicle or trackless trolley coach operated upon the highways of this state shall have a length in excess of forty-five feet, except that such vehicles may exceed the forty-five feet length when such excess length is caused by the projection of a front safety bumper or a rear safety bumper or both. Such safety bumper shall not cause the length of the bus or recreational motor vehicle to exceed the forty-five feet length limit by more than one foot in the front and one foot in the rear. The term "safety bumper" means any device which may be fitted on an existing bumper or which replaces the bumper and is so constructed, treated, or manufactured that it absorbs energy upon impact.

5. No combination of truck-tractor and semitrailer or truck-tractor equipped with dromedary and semitrailer operated upon the highways of this state shall have a length, including load, in excess of sixty feet; except that in order to comply with the provisions of Title 23 of the United States Code (Public Law 97-424), no combination of truck-tractor and semitrailer or truck-tractor equipped with dromedary and semitrailer operated upon the interstate highway system of this state shall have an overall length, including load, in excess of the length of the truck-tractor plus the semitrailer or truck-tractor equipped with dromedary and semitrailer. The length of such semitrailer shall not exceed fifty-three feet.

6. In order to comply with the provisions of Title 23 of the United States Code (Public Law 97-424), no combination of truck-tractor, semitrailer and trailer operated upon the interstate highway system of this state shall have an overall length, including load, in excess of the length of the truck-tractor plus the semitrailer and trailer, neither of which semitrailer or trailer shall exceed twenty-eight feet in length, except that any existing semitrailer or trailer up to twenty-eight and one-half feet in length actually and lawfully operated on December 1, 1982, within a sixty-five foot overall length limit in any state, may continue to be operated upon the interstate highways of this state. On those primary highways not designated by the state highways and transportation commission as provided in subsection 10 of this section, no combination of truck-tractor, semitrailer and trailer shall have an overall length, including load, in excess of sixty-five feet; provided, however, the state highways and transportation commission may designate additional routes for such sixty-five foot combinations.

7. Automobile transporters, boat transporters, truck-trailer boat transporter combinations, stinger-steered combination automobile transporters and stinger-steered combination boat transporters having a length not in excess of seventy-five feet may be operated on the interstate highways of this state and such other highways as may be designated by the highways and transportation commission for the operation of such vehicles plus a distance not to exceed ten miles from such interstate or designated highway. All length provisions regarding automobile or boat transporters, truck-trailer boat transporter combinations and stinger-steered combinations shall include a semitrailer length not to exceed fifty-three feet and are exclusive of front and rear overhang, which shall be no greater than a three-foot front overhang and no greater than a four-foot rear overhang.

8. Driveaway saddlemount combinations having a length not in excess of ninety-seven feet may be operated on the interstate highways of this state and such other highways as may be designated by the highways and transportation commission for the operation of such vehicles plus a distance not to exceed ten miles from such

interstate or designated highway. Saddle-mount combinations must comply with the safety requirements of Section 393.71 of Title 49 of the Code of Federal Regulations and may contain no more than three saddle-mounted vehicles and one fullmount.

9. No truck-tractor semitrailer-semitrailer combination vehicles operated upon the interstate and designated primary highway system of this state shall have a semitrailer length in excess of twenty-eight feet or twenty-eight and one-half feet if the semitrailer was in actual and lawful operation in any state on December 1, 1982, operating in a truck-tractor semitrailer-semitrailer combination. The B-train assembly is excluded from the measurement of semitrailer length when used between the first and second semitrailer of a truck-tractor semitrailer-semitrailer combination, except that when there is no semitrailer mounted to the B-train assembly, it shall be included in the length measurement of the semitrailer.

10. The highways and transportation commission is authorized to designate routes on the state highway system other than the interstate system over which those combinations of vehicles of the lengths specified in subsections 5, 6, 7, 8 and 9 of this section may be operated. Combinations of vehicles operated under the provisions of subsections 5, 6, 7, 8 and 9 of this section may be operated at a distance not to exceed ten miles from the interstate system and such routes as designated under the provisions of this subsection.

11. Except as provided in subsections 5, 6, 7, 8, 9 and 10 of this section, no other combination of vehicles operated upon the primary or interstate highways of this state plus a distance of ten miles from a primary or interstate highway shall have an overall length, unladen or with load, in excess of sixty-five feet or in excess of fifty-five feet on any other highway, except the state highways and transportation commission may designate additional routes for use by sixty-five foot combinations, seventy-five foot stinger-steered combinations or seventy-five foot saddle-mount combinations. Any vehicle or combination of vehicles transporting automobiles, boats or other motor vehicles may carry a load which extends no more than three feet beyond the front and four feet beyond the rear of the transporting vehicle or combination of vehicles.

12. (1) Except as hereinafter provided, these restrictions shall not apply to agricultural implements operating occasionally on the highways for short distances including tractor parades for fund-raising activities or special events, provided the tractors are driven by licensed drivers during daylight hours only and with the approval of the superintendent of the Missouri state highway patrol; or to self-propelled hay-hauling equipment or to implements of husbandry, or to the movement of farm products as defined in section 400.9-102 or to vehicles temporarily transporting agricultural implements or implements of husbandry or road-making machinery, or road materials or towing for repair purposes vehicles that have become disabled upon the highways; or to implement dealers delivering or moving farm machinery for repairs on any state highway other than the interstate system.

(2) Implements of husbandry and vehicles transporting such machinery or equipment and the movement of farm products as defined in section 400.9-102 may be operated occasionally for short distances on state highways when operated between the hours of sunrise and sunset by a driver licensed as an operator or chauffeur.

(3) Notwithstanding any other provision of law to the contrary, agricultural machinery and implements may be operated on state highways between the hours of sunset and sunrise for agricultural purposes provided such vehicles are equipped with lighting meeting the requirements of section 307.115.

13. As used in this chapter the term "implements of husbandry" means all self-propelled machinery operated at speeds of less than thirty miles per hour, specifically designed for, or especially adapted to be capable of, incidental over-the-road and primary offroad usage and used exclusively for the application of commercial plant food materials or agricultural chemicals, and not specifically designed or intended for transportation of such chemicals and materials.

14. Sludge disposal units may be operated on all state highways other than the interstate system. Such units shall not exceed one hundred thirty-eight inches in width and may be equipped with over-width tires. Such units shall observe all axle weight limits. The chief engineer of the state transportation department shall issue special permits for the movement of such disposal units and may by such permits restrict the movements to specified routes, days and hours."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Brattin, **House Amendment No. 1** was adopted.

Representative Redmon offered **House Amendment No. 2**.

House Amendment No. 2

AMEND Senate Bill No. 8, Page 1, Section A, Line 2, by inserting after all of said section and line the following:

"304.022. 1. Upon the immediate approach of an emergency vehicle giving audible signal by siren or while having at least one lighted lamp exhibiting red light visible under normal atmospheric conditions from a distance of five hundred feet to the front of such vehicle or a flashing blue light authorized by section 307.175, the driver of every other vehicle shall yield the right-of-way and shall immediately drive to a position parallel to, and as far as possible to the right of, the traveled portion of the highway and thereupon stop and remain in such position until such emergency vehicle has passed, except when otherwise directed by a police or traffic officer.

2. Upon approaching a stationary emergency vehicle displaying lighted red or red and blue lights, ~~or~~ a stationary vehicle owned by the state highways and transportation commission and operated by an authorized employee of the department of transportation or a stationary vehicle owned by a contractor or subcontractor performing work for the department of transportation displaying lighted amber or amber and white lights, **or a stationary vehicle operated by a utility worker displaying lighted amber or amber and white lights**, the driver of every motor vehicle shall:

(1) Proceed with caution and yield the right-of-way, if possible with due regard to safety and traffic conditions, by making a lane change into a lane not adjacent to that of the stationary vehicle, if on a roadway having at least four lanes with not less than two lanes proceeding in the same direction as the approaching vehicle; or

(2) Proceed with due caution and reduce the speed of the vehicle, maintaining a safe speed for road conditions, if changing lanes would be unsafe or impossible.

3. The motorman of every streetcar shall immediately stop such car clear of any intersection and keep it in such position until the emergency vehicle has passed, except as otherwise directed by a police or traffic officer.

4. An "emergency vehicle" is a vehicle of any of the following types:

(1) A vehicle operated by the state highway patrol, the state water patrol, the Missouri capitol police, a conservation agent, or a state park ranger, those vehicles operated by enforcement personnel of the state highways and transportation commission, police or fire department, sheriff, constable or deputy sheriff, federal law enforcement officer authorized to carry firearms and to make arrests for violations of the laws of the United States, traffic officer or coroner or by a privately owned emergency vehicle company;

(2) A vehicle operated as an ambulance or operated commercially for the purpose of transporting emergency medical supplies or organs;

(3) Any vehicle qualifying as an emergency vehicle pursuant to section 307.175;

(4) Any wrecker, or tow truck or a vehicle owned and operated by a public utility or public service corporation while performing emergency service;

(5) Any vehicle transporting equipment designed to extricate human beings from the wreckage of a motor vehicle;

(6) Any vehicle designated to perform emergency functions for a civil defense or emergency management agency established pursuant to the provisions of chapter 44;

(7) Any vehicle operated by an authorized employee of the department of corrections who, as part of the employee's official duties, is responding to a riot, disturbance, hostage incident, escape or other critical situation where there is the threat of serious physical injury or death, responding to mutual aid call from another criminal justice agency, or in accompanying an ambulance which is transporting an offender to a medical facility;

(8) Any vehicle designated to perform hazardous substance emergency functions established pursuant to the provisions of sections 260.500 to 260.550; or

(9) Any vehicle owned by the state highways and transportation commission and operated by an authorized employee of the department of transportation that is marked as a department of transportation emergency response or motorist assistance vehicle.

5. **As used in this section, the term "utility worker" means any employee while in performance of his or her job duties, including any person employed under contract of a utility that provides gas, heat, electricity, water, steam, telecommunications or cable services, or sewer services, whether privately, municipally, or cooperatively owned.**

6. (1) The driver of any vehicle referred to in subsection 4 of this section shall not sound the siren thereon or have the front red lights or blue lights on except when such vehicle is responding to an emergency call or when in pursuit of an actual or suspected law violator, or when responding to, but not upon returning from, a fire.

- (2) The driver of an emergency vehicle may:
- (a) Park or stand irrespective of the provisions of sections 304.014 to 304.025;
 - (b) Proceed past a red or stop signal or stop sign, but only after slowing down as may be necessary for safe operation;
 - (c) Exceed the prima facie speed limit so long as the driver does not endanger life or property;
 - (d) Disregard regulations governing direction of movement or turning in specified directions.
- (3) The exemptions granted to an emergency vehicle pursuant to subdivision (2) of this subsection shall apply only when the driver of any such vehicle while in motion sounds audible signal by bell, siren, or exhaust whistle as may be reasonably necessary, and when the vehicle is equipped with at least one lighted lamp displaying a red light or blue light visible under normal atmospheric conditions from a distance of five hundred feet to the front of such vehicle.
- [6-] 7. No person shall purchase an emergency light as described in this section without furnishing the seller of such light an affidavit stating that the light will be used exclusively for emergency vehicle purposes.
- [7-] 8. Violation of this section shall be deemed a class A misdemeanor."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Redmon, **House Amendment No. 2** was adopted.

Representative Davis offered **House Amendment No. 3**.

House Amendment No. 3

AMEND Senate Bill No. 8, Page 1, Section A, Line 2, by inserting immediately after said section and line the following:

"304.170. 1. No vehicle operated upon the highways of this state shall have a width, including load, in excess of one hundred two inches, except clearance lights, rearview mirrors or other accessories required by federal, state or city law or regulation. Provided however, a recreational vehicle as defined in section 700.010 may exceed the foregoing width limits if the appurtenances on such recreational vehicle extend no further than the rearview mirrors. Such mirrors may only extend the distance necessary to provide the required field of view before the appurtenances were attached.

2. No vehicle operated upon the interstate highway system or upon any route designated by the chief engineer of the state transportation department shall have a height, including load, in excess of fourteen feet. On all other highways, no vehicle shall have a height, including load, in excess of thirteen and one-half feet, except that any vehicle or combination of vehicles transporting automobiles or other motor vehicles may have a height, including load, of not more than fourteen feet.

3. No single motor vehicle operated upon the highways of this state shall have a length, including load, in excess of forty-five feet, except as otherwise provided in this section.

4. No bus, recreational motor vehicle or trackless trolley coach operated upon the highways of this state shall have a length in excess of forty-five feet, except that such vehicles may exceed the forty-five feet length when such excess length is caused by the projection of a front safety bumper or a rear safety bumper or both. Such safety bumper shall not cause the length of the bus or recreational motor vehicle to exceed the forty-five feet length limit by more than one foot in the front and one foot in the rear. **Notwithstanding any provision of this section to the contrary, an articulated bus, comprised of two or more sections connected by a flexible joint or other mechanism, may be up to sixty feet in length, not including safety bumpers which may extend one foot in front and one foot in the rear, and not including bicycle storage racks which may extend over the safety bumper by up to five feet when in the down position transporting a bicycle.** The term "safety bumper" means any device which may be fitted on an existing bumper or which replaces the bumper and is so constructed, treated, or manufactured that it absorbs energy upon impact.

5. No combination of truck-tractor and semitrailer or truck-tractor equipped with dromedary and semitrailer operated upon the highways of this state shall have a length, including load, in excess of sixty feet; except that in order to comply with the provisions of **Pub. L. 97-424 codified in Title 23 of the United States Code [(Public Law 97-424)] (23 U.S.C. Section 101 et al.), as amended**, no combination of truck-tractor and semitrailer

or truck-tractor equipped with dromedary and semitrailer operated upon the interstate highway system of this state shall have an overall length, including load, in excess of the length of the truck-tractor plus the semitrailer or truck-tractor equipped with dromedary and semitrailer. The length of such semitrailer shall not exceed fifty-three feet.

6. In order to comply with the provisions of **Pub. L. 97-424 codified in Title 23 of the United States Code [(Public Law 97-424)] (23 U.S.C. Section 101 et al.), as amended**, no combination of truck-tractor, semitrailer and trailer operated upon the interstate highway system of this state shall have an overall length, including load, in excess of the length of the truck-tractor plus the semitrailer and trailer, neither of which semitrailer or trailer shall exceed twenty-eight feet in length, except that any existing semitrailer or trailer up to twenty-eight and one-half feet in length actually and lawfully operated on December 1, 1982, within a sixty-five foot overall length limit in any state, may continue to be operated upon the interstate highways of this state. On those primary highways not designated by the state highways and transportation commission as provided in subsection 10 of this section, no combination of truck-tractor, semitrailer and trailer shall have an overall length, including load, in excess of sixty-five feet; provided, however, the state highways and transportation commission may designate additional routes for such sixty-five foot combinations.

7. Automobile transporters, boat transporters, truck-trailer boat transporter combinations, stinger-steered combination automobile transporters and stinger-steered combination boat transporters having a length not in excess of seventy-five feet may be operated on the interstate highways of this state and such other highways as may be designated by the highways and transportation commission for the operation of such vehicles plus a distance not to exceed ten miles from such interstate or designated highway. All length provisions regarding automobile or boat transporters, truck-trailer boat transporter combinations and stinger-steered combinations shall include a semitrailer length not to exceed fifty-three feet and are exclusive of front and rear overhang, which shall be no greater than a three-foot front overhang and no greater than a four-foot rear overhang.

8. Driveaway saddlemount combinations having a length not in excess of ninety-seven feet may be operated on the interstate highways of this state and such other highways as may be designated by the highways and transportation commission for the operation of such vehicles plus a distance not to exceed ten miles from such interstate or designated highway. Saddlemount combinations must comply with the safety requirements of Section 393.71 of Title 49 of the Code of Federal Regulations and may contain no more than three saddlemounted vehicles and one fullmount.

9. No truck-tractor semitrailer-semitrailer combination vehicles operated upon the interstate and designated primary highway system of this state shall have a semitrailer length in excess of twenty-eight feet or twenty-eight and one-half feet if the semitrailer was in actual and lawful operation in any state on December 1, 1982, operating in a truck-tractor semitrailer-semitrailer combination. The B-train assembly is excluded from the measurement of semitrailer length when used between the first and second semitrailer of a truck-tractor semitrailer-semitrailer combination, except that when there is no semitrailer mounted to the B-train assembly, it shall be included in the length measurement of the semitrailer.

10. The highways and transportation commission is authorized to designate routes on the state highway system other than the interstate system over which those combinations of vehicles of the lengths specified in subsections 5, 6, 7, 8 and 9 of this section may be operated. Combinations of vehicles operated under the provisions of subsections 5, 6, 7, 8 and 9 of this section may be operated at a distance not to exceed ten miles from the interstate system and such routes as designated under the provisions of this subsection.

11. Except as provided in subsections 5, 6, 7, 8, 9 and 10 of this section, no other combination of vehicles operated upon the primary or interstate highways of this state plus a distance of ten miles from a primary or interstate highway shall have an overall length, unladen or with load, in excess of sixty-five feet or in excess of fifty-five feet on any other highway, except the state highways and transportation commission may designate additional routes for use by sixty-five foot combinations, seventy-five foot stinger-steered combinations or seventy-five foot saddlemount combinations. Any vehicle or combination of vehicles transporting automobiles, boats or other motor vehicles may carry a load which extends no more than three feet beyond the front and four feet beyond the rear of the transporting vehicle or combination of vehicles.

12. (1) Except as hereinafter provided, these restrictions shall not apply to agricultural implements operating occasionally on the highways for short distances including tractor parades for fund-raising activities or special events, provided the tractors are driven by licensed drivers during daylight hours only and with the approval of the superintendent of the Missouri state highway patrol; or to self-propelled hay-hauling equipment or to implements of husbandry, or to the movement of farm products as defined in section 400.9-102 or to vehicles

temporarily transporting agricultural implements or implements of husbandry or road-making machinery, or road materials or towing for repair purposes vehicles that have become disabled upon the highways; or to implement dealers delivering or moving farm machinery for repairs on any state highway other than the interstate system.

(2) Implements of husbandry and vehicles transporting such machinery or equipment and the movement of farm products as defined in section 400.9-102 may be operated occasionally for short distances on state highways when operated between the hours of sunrise and sunset by a driver licensed as an operator or chauffeur.

13. As used in this chapter the term "implements of husbandry" means all self-propelled machinery operated at speeds of less than thirty miles per hour, specifically designed for, or especially adapted to be capable of, incidental over-the-road and primary offroad usage and used exclusively for the application of commercial plant food materials or agricultural chemicals, and not specifically designed or intended for transportation of such chemicals and materials.

14. Sludge disposal units may be operated on all state highways other than the interstate system. Such units shall not exceed one hundred thirty-eight inches in width and may be equipped with over-width tires. Such units shall observe all axle weight limits. The chief engineer of the state transportation department shall issue special permits for the movement of such disposal units and may by such permits restrict the movements to specified routes, days and hours."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Korman offered **House Amendment No. 1 to House Amendment No. 3.**

House Amendment No. 1
to
House Amendment No. 3

AMEND House Amendment No. 3 to Senate Bill No. 8, Page 1, Line 4, by inserting immediately prior to the phrase "304.170." on said line the following:

"287.020. 1. The word "employee" as used in this chapter shall be construed to mean every person in the service of any employer, as defined in this chapter, under any contract of hire, express or implied, oral or written, or under any appointment or election, including executive officers of corporations. Except as otherwise provided in section 287.200, any reference to any employee who has been injured shall, when the employee is dead, also include his dependents, and other persons to whom compensation may be payable.

The word "employee" shall also include all minors who work for an employer, whether or not such minors are employed in violation of law, and all such minors are hereby made of full age for all purposes under, in connection with, or arising out of this chapter. The word "employee" shall not include an individual who is the owner, as defined in ~~subdivision (42) of~~ section 301.010, and operator of a motor vehicle which is leased or contracted with a driver to a for-hire motor carrier operating within a commercial zone as defined in section 390.020 or 390.041, or operating under a certificate issued by the Missouri department of transportation or by the United States Department of Transportation, or any of its subagencies. The word "employee" also shall not include any person performing services for board, lodging, aid, or sustenance received from any religious, charitable, or relief organization.

2. The word "accident" as used in this chapter shall mean an unexpected traumatic event or unusual strain identifiable by time and place of occurrence and producing at the time objective symptoms of an injury caused by a specific event during a single work shift. An injury is not compensable because work was a triggering or precipitating factor.

3. (1) In this chapter the term "injury" is hereby defined to be an injury which has arisen out of and in the course of employment. An injury by accident is compensable only if the accident was the prevailing factor in causing both the resulting medical condition and disability. "The prevailing factor" is defined to be the primary factor, in relation to any other factor, causing both the resulting medical condition and disability.

(2) An injury shall be deemed to arise out of and in the course of the employment only if:

(a) It is reasonably apparent, upon consideration of all the circumstances, that the accident is the prevailing factor in causing the injury; and

(b) It does not come from a hazard or risk unrelated to the employment to which workers would have been equally exposed outside of and unrelated to the employment in normal nonemployment life.

(3) An injury resulting directly or indirectly from idiopathic causes is not compensable.

(4) A cardiovascular, pulmonary, respiratory, or other disease, or cerebrovascular accident or myocardial infarction suffered by a worker is an injury only if the accident is the prevailing factor in causing the resulting medical condition.

(5) The terms "injury" and "personal injuries" shall mean violence to the physical structure of the body and to the personal property which is used to make up the physical structure of the body, such as artificial dentures, artificial limbs, glass eyes, eyeglasses, and other prostheses which are placed in or on the body to replace the physical structure and such disease or infection as naturally results therefrom. These terms shall in no case except as specifically provided in this chapter be construed to include occupational disease in any form, nor shall they be construed to include any contagious or infectious disease contracted during the course of the employment, nor shall they include death due to natural causes occurring while the worker is at work.

4. "Death" when mentioned as a basis for the right to compensation means only death resulting from such violence and its resultant effects occurring within three hundred weeks after the accident; except that in cases of occupational disease, the limitation of three hundred weeks shall not be applicable.

5. Injuries sustained in company-owned or subsidized automobiles in accidents that occur while traveling from the employee's home to the employer's principal place of business or from the employer's principal place of business to the employee's home are not compensable. The extension of premises doctrine is abrogated to the extent it extends liability for accidents that occur on property not owned or controlled by the employer even if the accident occurs on customary, approved, permitted, usual or accepted routes used by the employee to get to and from their place of employment.

6. The term "total disability" as used in this chapter shall mean inability to return to any employment and not merely mean inability to return to the employment in which the employee was engaged at the time of the accident.

7. As used in this chapter and all acts amendatory thereof, the term "commission" shall hereafter be construed as meaning and referring exclusively to the labor and industrial relations commission of Missouri, and the term "director" shall hereafter be construed as meaning the director of the department of insurance, financial institutions and professional registration of the state of Missouri or such agency of government as shall exercise the powers and duties now conferred and imposed upon the department of insurance, financial institutions and professional registration of the state of Missouri.

8. The term "division" as used in this chapter means the division of workers' compensation of the department of labor and industrial relations of the state of Missouri.

9. For the purposes of this chapter, the term "minor" means a person who has not attained the age of eighteen years; except that, for the purpose of computing the compensation provided for in this chapter, the provisions of section 287.250 shall control.

10. In applying the provisions of this chapter, it is the intent of the legislature to reject and abrogate earlier case law interpretations on the meaning of or definition of "accident", "occupational disease", "arising out of", and "in the course of the employment" to include, but not be limited to, holdings in: *Bennett v. Columbia Health Care and Rehabilitation*, 80 S.W.3d 524 (Mo.App. W.D. 2002); *Kasl v. Bristol Care, Inc.*, 984 S.W.2d 852 (Mo.banc 1999); and *Drewes v. TWA*, 984 S.W.2d 512 (Mo.banc 1999) and all cases citing, interpreting, applying, or following those cases.

11. For the purposes of this chapter, "occupational diseases due to toxic exposure" shall only include the following: mesothelioma, asbestosis, berylliosis, coal worker's pneumoconiosis, bronchiolitis obliterans, silicosis, silicotuberculosis, manganism, acute myelogenous leukemia, and myelodysplastic syndrome.

287.040. 1. Any person who has work done under contract on or about his premises which is an operation of the usual business which he there carries on shall be deemed an employer and shall be liable under this chapter to such contractor, his subcontractors, and their employees, when injured or killed on or about the premises of the employer while doing work which is in the usual course of his business.

2. The provisions of this section shall not apply to the owner of premises upon which improvements are being erected, demolished, altered or repaired by an independent contractor but such independent contractor shall be deemed to be the employer of the employees of his subcontractors and their subcontractors when employed on or about the premises where the principal contractor is doing work.

3. In all cases mentioned in the preceding subsections, the immediate contractor or subcontractor shall be liable as an employer of the employees of his subcontractors. All persons so liable may be made parties to the proceedings on the application of any party. The liability of the immediate employer shall be primary, and that of

the others secondary in their order, and any compensation paid by those secondarily liable may be recovered from those primarily liable, with attorney's fees and expenses of the suit. Such recovery may be had on motion in the original proceedings. No such employer shall be liable as in this section provided, if the employee was insured by his immediate or any intermediate employer.

4. The provisions of this section shall not apply to the relationship between a for-hire motor carrier operating within a commercial zone as defined in section 390.020 or 390.041 or operating under a certificate issued by the Missouri department of transportation or by the United States Department of Transportation, or any of its subagencies, and an owner, as defined in ~~[subdivision (42) of]~~ section 301.010, and operator of a motor vehicle.

288.035. Notwithstanding the provisions of section 288.034, in the case of an individual who is the owner, as defined in ~~[subdivision (42) of]~~ section 301.010, and operator of a motor vehicle which is leased or contracted with a driver to a for-hire common or contract motor vehicle carrier operating within a commercial zone as defined in section 390.020 or 390.041, or operating under a certificate issued by the Missouri department of transportation or by the United States Department of Transportation or any of its subagencies, such owner/operator shall not be deemed to be an employee, provided, however, such individual owner and operator shall be deemed to be in employment if the for-hire common or contract vehicle carrier is an organization described in Section 501(c)(3) of the Internal Revenue Code or any governmental entity.

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;

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

(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;

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

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

~~[(5)]~~ (6) "Body shop", a business that repairs physical damage on motor vehicles that are not owned by the shop or its officers or employees by mending, straightening, replacing body parts, or painting;

~~[(6)]~~ (7) "Bus", a motor vehicle primarily for the transportation of a driver and eight or more passengers but not including shuttle buses;

~~[(7)]~~ (8) "Commercial motor vehicle", a motor vehicle designed or regularly used for carrying freight and merchandise, or more than eight passengers but not including vanpools or shuttle buses;

~~[(8)]~~ (9) "Cotton trailer", a trailer designed and used exclusively for transporting cotton at speeds less than forty miles per hour from field to field or from field to market and return;

~~[(9)]~~ (10) "Dealer", any person, firm, corporation, association, agent or subagent engaged in the sale or exchange of new, used or reconstructed motor vehicles or trailers;

~~[(10)]~~ (11) "Director" or "director of revenue", the director of the department of revenue;

~~[(11)]~~ (12) "Driveaway operation":

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

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

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

~~[(42)]~~ (13) "Dromedary", a box, deck, or plate mounted behind the cab and forward of the fifth wheel on the frame of the power unit of a truck tractor-semitrailer combination. A truck tractor equipped with a dromedary may carry part of a load when operating independently or in a combination with a semitrailer;

~~[(43)]~~ (14) "Farm tractor", a tractor used exclusively for agricultural purposes;

~~[(44)]~~ (15) "Fleet", any group of ten or more motor vehicles owned by the same owner;

~~[(45)]~~ (16) "Fleet vehicle", a motor vehicle which is included as part of a fleet;

~~[(46)]~~ (17) "Fullmount", a vehicle mounted completely on the frame of either the first or last vehicle in a saddlemount combination;

~~[(47)]~~ (18) "Gross weight", the weight of vehicle and/or vehicle combination without load, plus the weight of any load thereon;

~~[(48)]~~ (19) "Hail-damaged vehicle", any vehicle, the body of which has become dented as the result of the impact of hail;

~~[(49)]~~ (20) "Highway", any public thoroughfare for vehicles, including state roads, county roads and public streets, avenues, boulevards, parkways or alleys in any municipality;

~~[(20)]~~ (21) "Improved highway", a highway which has been paved with gravel, macadam, concrete, brick or asphalt, or surfaced in such a manner that it shall have a hard, smooth surface;

~~[(21)]~~ (22) "Intersecting highway", any highway which joins another, whether or not it crosses the same;

~~[(22)]~~ (23) "Junk vehicle", a vehicle which:

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

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

~~[(23)]~~ (24) "Kit vehicle", a motor vehicle assembled by a person other than a generally recognized manufacturer of motor vehicles by the use of a glider kit or replica purchased from an authorized manufacturer and accompanied by a manufacturer's statement of origin;

~~[(24)]~~ (25) "Land improvement contractors' commercial motor vehicle", any not-for-hire commercial motor vehicle the operation of which is confined to:

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

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

~~[(25)]~~ (26) "Local commercial motor vehicle", a commercial motor vehicle whose operations are confined solely to a municipality and that area extending not more than fifty miles therefrom, or a commercial motor vehicle whose property-carrying operations are confined solely to the transportation of property owned by any person who is the owner or operator of such vehicle to or from a farm owned by such person or under the person's control by virtue of a landlord and tenant lease; provided that any such property transported to any such farm is for use in the operation of such farm;

~~[(26)]~~ (27) "Local log truck", a commercial motor vehicle which is registered pursuant to this chapter to operate as a motor vehicle on the public highways of this state, used exclusively in this state, used to transport harvested forest products, operated solely at a forested site and in an area extending not more than a one hundred-mile radius from such site, carries a load with dimensions not in excess of twenty-five cubic yards per two axles with dual wheels, and when operated on the national system of interstate and defense highways described in 23 U.S.C. Section 103, as amended, such vehicle shall not exceed the weight limits of section 304.180, does not have more than four axles, and does not pull a trailer which has more than two axles. Harvesting equipment which is used specifically for cutting, felling, trimming, delimiting, debarking, chipping, skidding, loading, unloading, and stacking may be transported on a local log truck. A local log truck may not exceed the limits required by law, however, if the truck does exceed such limits as determined by the inspecting officer, then notwithstanding any other provisions of law to the contrary, such truck shall be subject to the weight limits required by such sections as licensed for eighty thousand pounds;

~~[(27)]~~ (28) "Local log truck tractor", a commercial motor vehicle which is registered under this chapter to operate as a motor vehicle on the public highways of this state, used exclusively in this state, used to transport harvested forest products, operated solely at a forested site and in an area extending not more than a one hundred-

mile radius from such site, operates with a weight not exceeding twenty-two thousand four hundred pounds on one axle or with a weight not exceeding forty-four thousand eight hundred pounds on any tandem axle, and when operated on the national system of interstate and defense highways described in ~~[Title 23, Section 103(e) of the United States Code]~~ **23 U.S.C. Section 103, as amended**, such vehicle does not exceed the weight limits contained in section 304.180, and does not have more than three axles and does not pull a trailer which has more than two axles. Violations of axle weight limitations shall be subject to the load limit penalty as described for in sections 304.180 to 304.220;

~~[(28)]~~ **(29)** "Local transit bus", a bus whose operations are confined wholly within a municipal corporation, or wholly within a municipal corporation and a commercial zone, as defined in section 390.020, adjacent thereto, forming a part of a public transportation system within such municipal corporation and such municipal corporation and adjacent commercial zone;

~~[(29)]~~ **(30)** "Log truck", a vehicle which is not a local log truck or local log truck tractor and is used exclusively to transport harvested forest products to and from forested sites which is registered pursuant to this chapter to operate as a motor vehicle on the public highways of this state for the transportation of harvested forest products;

~~[(30)]~~ **(31)** "Major component parts", the rear clip, cowl, frame, body, cab, front-end assembly, and front clip, as those terms are defined by the director of revenue pursuant to rules and regulations or by illustrations;

~~[(31)]~~ **(32)** "Manufacturer", any person, firm, corporation or association engaged in the business of manufacturing or assembling motor vehicles, trailers or vessels for sale;

~~[(32)]~~ **(33)** "Motor change vehicle", a vehicle manufactured prior to August, 1957, which receives a new, rebuilt or used engine, and which used the number stamped on the original engine as the vehicle identification number;

~~[(33)]~~ **(34)** "Motor vehicle", any self-propelled vehicle not operated exclusively upon tracks, except farm tractors;

~~[(34)]~~ **(35)** "Motor vehicle primarily for business use", any vehicle other than a recreational motor vehicle, motorcycle, motortricycle, or any commercial motor vehicle licensed for over twelve thousand pounds:

(a) Offered for hire or lease; or

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

~~[(35)]~~ **(36)** "Motorcycle", a motor vehicle operated on two wheels;

~~[(36)]~~ **(37)** "Motorized bicycle", any two-wheeled or three-wheeled device having an automatic transmission and a motor with a cylinder capacity of not more than fifty cubic centimeters, which produces less than three gross brake horsepower, and is capable of propelling the device at a maximum speed of not more than thirty miles per hour on level ground;

~~[(37)]~~ **(38)** "Motortricycle", a motor vehicle operated on three wheels, including a motorcycle while operated with any conveyance, temporary or otherwise, requiring the use of a third wheel. A motortricycle shall not be included in the definition of all-terrain vehicle;

~~[(38)]~~ **(39)** "Municipality", any city, town or village, whether incorporated or not;

~~[(39)]~~ **(40)** "Nonresident", a resident of a state or country other than the state of Missouri;

~~[(40)]~~ **(41)** "Non-USA-std motor vehicle", a motor vehicle not originally manufactured in compliance with United States emissions or safety standards;

~~[(41)]~~ **(42)** "Operator", any person who operates or drives a motor vehicle;

~~[(42)]~~ **(43)** "Owner", any person, firm, corporation or association, who holds the legal title to a vehicle or in the event a vehicle is the subject of an agreement for the conditional sale or lease thereof with the right of purchase upon performance of the conditions stated in the agreement and with an immediate right of possession vested in the conditional vendee or lessee, or in the event a mortgagor of a vehicle is entitled to possession, then such conditional vendee or lessee or mortgagor shall be deemed the owner ~~[for the purpose of this law]~~;

~~[(43)]~~ **(44)** "Public garage", a place of business where motor vehicles are housed, stored, repaired, reconstructed or repainted for persons other than the owners or operators of such place of business;

~~[(44)]~~ **(45)** "Rebuilder", a business that repairs or rebuilds motor vehicles owned by the rebuilder, but does not include certificated common or contract carriers of persons or property;

~~[(45)]~~ **(46)** "Reconstructed motor vehicle", a vehicle that is altered from its original construction by the addition or substitution of two or more new or used major component parts, excluding motor vehicles made from all new parts, and new multistage manufactured vehicles;

~~[(46)]~~ **(47)** "Recreational motor vehicle", any motor vehicle designed, constructed or substantially modified so that it may be used and is used for the purposes of temporary housing quarters, including therein sleeping and eating facilities which are either permanently attached to the motor vehicle or attached to a unit which

is securely attached to the motor vehicle. Nothing herein shall prevent any motor vehicle from being registered as a commercial motor vehicle if the motor vehicle could otherwise be so registered;

~~[(47)]~~ (48) "Recreational off-highway vehicle", any motorized vehicle manufactured and used exclusively for off-highway use which is more than fifty inches but no more than sixty-seven inches in width, with an unladen dry weight of two thousand pounds or less, traveling on four or more nonhighway tires and which may have access to ATV trails;

~~[(48)]~~ (49) "Rollback or car carrier", any vehicle specifically designed to transport wrecked, disabled or otherwise inoperable vehicles, when the transportation is directly connected to a wrecker or towing service;

~~[(49)]~~ (50) "Saddlemount combination", a combination of vehicles in which a truck or truck tractor tows one or more trucks or truck tractors, each connected by a saddle to the frame or fifth wheel of the vehicle in front of it. The "saddle" is a mechanism that connects the front axle of the towed vehicle to the frame or fifth wheel of the vehicle in front and functions like a fifth wheel kingpin connection. When two vehicles are towed in this manner the combination is called a "double saddlemount combination". When three vehicles are towed in this manner, the combination is called a "triple saddlemount combination";

~~[(50)]~~ (51) "Salvage dealer and dismantler", a business that dismantles used motor vehicles for the sale of the parts thereof, and buys and sells used motor vehicle parts and accessories;

~~[(51)]~~ (52) "Salvage vehicle", a motor vehicle, semitrailer, or house trailer which:

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

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

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

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

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

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

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

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

~~[(52)]~~ (53) "School bus", any motor vehicle used solely to transport students to or from school or to transport students to or from any place for educational purposes;

~~[(53)]~~ (54) "Scrap processor", a business that, through the use of fixed or mobile equipment, flattens, crushes, or otherwise accepts motor vehicles and vehicle parts for processing or transportation to a shredder or scrap metal operator for recycling;

~~[(54)]~~ (55) "Shuttle bus", a motor vehicle used or maintained by any person, firm, or corporation as an incidental service to transport patrons or customers of the regular business of such person, firm, or corporation to and from the place of business of the person, firm, or corporation providing the service at no fee or charge. Shuttle buses shall not be registered as buses or as commercial motor vehicles;

~~[(55)]~~ (56) "Special mobile equipment", every self-propelled vehicle not designed or used primarily for the transportation of persons or property and incidentally operated or moved over the highways, including farm equipment, implements of husbandry, road construction or maintenance machinery, ditch-digging apparatus, stone crushers, air compressors, power shovels, cranes, graders, rollers, well-drillers and wood-sawing equipment used for hire, asphalt spreaders, bituminous mixers, bucket loaders, ditchers, leveling graders, finished machines, motor graders, road rollers, scarifiers, earth-moving carryalls, scrapers, drag lines, concrete pump trucks, rock-drilling and earth-moving equipment. This enumeration shall be deemed partial and shall not operate to exclude other such vehicles which are within the general terms of this section;

~~[(56)]~~ (57) "Specially constructed motor vehicle", a motor vehicle which shall not have been originally constructed under a distinctive name, make, model or type by a manufacturer of motor vehicles. The term specially constructed motor vehicle includes kit vehicles;

~~[(57)]~~ (58) "Stinger-steered combination", a truck tractor-semitrailer wherein the fifth wheel is located on a drop frame located behind and below the rearmost axle of the power unit;

~~[(58)]~~ (59) "Tandem axle", a group of two or more axles, arranged one behind another, the distance between the extremes of which is more than forty inches and not more than ninety-six inches apart;

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

~~[(59)]~~ (61) "Tractor", "truck tractor" or "truck-tractor", a self-propelled motor vehicle designed for drawing other vehicles, but not for the carriage of any load when operating independently. When attached to a semitrailer, it supports a part of the weight thereof;

~~[(60)]~~ (62) "Trailer", any vehicle without motive power designed for carrying property or passengers on its own structure and for being drawn by a self-propelled vehicle, except those running exclusively on tracks, including a semitrailer or vehicle of the trailer type so designed and used in conjunction with a self-propelled vehicle that a considerable part of its own weight rests upon and is carried by the towing vehicle. The term trailer shall not include cotton trailers as defined in ~~[subdivision (8) of]~~ this section and shall not include manufactured homes as defined in section 700.010;

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

~~[(61)]~~ (64) "Truck", a motor vehicle designed, used, or maintained for the transportation of property;

~~[(62)]~~ (65) "Truck-tractor semitrailer-semitrailer", a combination vehicle in which the two trailing units are connected with a B-train assembly which is a rigid frame extension attached to the rear frame of a first semitrailer which allows for a fifth-wheel connection point for the second semitrailer and has one less articulation point than the conventional A-dolly connected truck-tractor semitrailer-trailer combination;

~~[(63)]~~ (66) "Truck-trailer boat transporter combination", a boat transporter combination consisting of a straight truck towing a trailer using typically a ball and socket connection with the trailer axle located substantially at the trailer center of gravity rather than the rear of the trailer but so as to maintain a downward force on the trailer tongue;

~~[(64)]~~ (67) "Used parts dealer", a business that buys and sells used motor vehicle parts or accessories, but not including a business that sells only new, remanufactured or rebuilt parts. Business does not include isolated sales at a swap meet of less than three days;

~~[(65)]~~ (68) "Utility vehicle", any motorized vehicle manufactured and used exclusively for off-highway use which is more than fifty inches but no more than sixty-seven inches in width, with an unladen dry weight of two thousand pounds or less, traveling on four or six wheels, to be used primarily for landscaping, lawn care, or maintenance purposes;

~~[(66)]~~ (69) "Vanpool", any van or other motor vehicle used or maintained by any person, group, firm, corporation, association, city, county or state agency, or any member thereof, for the transportation of not less than eight nor more than forty-eight employees, per motor vehicle, to and from their place of employment; however, a vanpool shall not be included in the definition of the term bus or commercial motor vehicle as defined ~~by subdivisions (6) and (7) of]~~ in this section, nor shall a vanpool driver be deemed a chauffeur as that term is defined by section 303.020; nor shall use of a vanpool vehicle for ride-sharing arrangements, recreational, personal, or maintenance uses constitute an unlicensed use of the motor vehicle, unless used for monetary profit other than for use in a ride-sharing arrangement;

~~[(67)]~~ (70) "Vehicle", any mechanical device on wheels, designed primarily for use, or used, on highways, except motorized bicycles, vehicles propelled or drawn by horses or human power, or vehicles used exclusively on fixed rails or tracks, or cotton trailers or motorized wheelchairs operated by handicapped persons;

~~[(68)]~~ (71) "Wrecker" or "tow truck", any emergency commercial vehicle equipped, designed and used to assist or render aid and transport or tow disabled or wrecked vehicles from a highway, road, street or highway rights-of-way to a point of storage or repair, including towing a replacement vehicle to replace a disabled or wrecked vehicle;

~~[(69)]~~ (72) "Wrecker or towing service", the act of transporting, towing or recovering with a wrecker, tow truck, rollback or car carrier any vehicle not owned by the operator of the wrecker, tow truck, rollback or car carrier for which the operator directly or indirectly receives compensation or other personal gain.

301.031. Notwithstanding the twenty-five mile operations limit imposed in ~~[subdivision (24) of]~~ section 301.010 upon local commercial motor vehicles, a local commercial motor vehicle licensed for forty-eight thousand pounds gross weight and above may be used to haul solid waste as defined in section 260.200 up to sixty miles from the municipality in which its operations are otherwise confined and still be eligible to register as a local commercial motor vehicle.

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

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

3. For any vehicle issued a junking certificate or such similar document or classification pursuant to the laws of another state, regardless of whether such designation has been subsequently changed by law in any other state, the department shall only issue a junking certificate, and a salvage certificate of title or original certificate of ownership shall not thereafter be issued for such vehicle. Notwithstanding the provisions of this subsection, if the vehicle has not previously been classified as a junk vehicle, the applicant making the original junking certification application shall, within ninety days, be allowed to rescind his application for a junking certificate by surrendering the junking certificate and apply for a salvage certificate of title in his name. The seller of a vehicle for which a junking certificate has been applied for or issued shall disclose such fact in writing to any prospective buyers before sale of such vehicle; otherwise the sale shall be voidable at the option of the buyer.

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

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

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

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

8. Notwithstanding the provisions of subsection 1 of this section, an insurance company which settles a claim for a stolen vehicle may apply for and shall be issued a negotiable salvage certificate of title without the payment of any fee upon proper application within thirty days after settlement of the claim for such stolen vehicle. However, if the insurance company upon recovery of a stolen vehicle determines that the stolen vehicle has not sustained damage to the extent that the vehicle would have otherwise been declared a salvage vehicle pursuant to ~~[subdivision (51) of]~~ section 301.010, then the insurance company may have the vehicle inspected by the Missouri state highway patrol, or other law enforcement agency authorized by the director of revenue, in accordance with the inspection provisions of subsection 9 of section 301.190. Upon receipt of title application, applicable fee, the

completed inspection, and the return of any previously issued negotiable salvage certificate, the director shall issue an original title with no salvage or prior salvage designation. Upon the issuance of an original title the director shall remove any indication of the negotiable salvage title previously issued to the insurance company from the department's electronic records.

9. Notwithstanding subsection 4 of this section or any other provision of the law to the contrary, if a motor vehicle is inoperable and is at least ten model years old, or the parts are from a motor vehicle that is inoperable and is at least ten model years old, a scrap metal operator may purchase or acquire such motor vehicle or parts without receiving the original certificate of ownership, salvage certificate of title, or junking certificate from the seller of the vehicle or parts, provided the scrap metal operator verifies with the department of revenue, via the department's online record access, that the motor vehicle is not subject to any recorded security interest or lien and the scrap metal operator complies with the requirements of this subsection. In lieu of forwarding certificates of title or ownership for such motor vehicles as required by subsection 5 of this section, the scrap metal operator shall forward a copy of the seller's state identification **card** along with a bill of sale to the department of revenue. The bill of sale form shall be designed by the director and such form shall include, but not be limited to, a certification that the motor vehicle is at least ten model years old, is inoperable, is not subject to any recorded security interest or lien, and a certification by the seller that the seller has the legal authority to sell or otherwise transfer the seller's interest in the motor vehicle or parts. Upon receipt of the information required by this subsection, the department of revenue shall cancel any certificate of title or ownership and registration for the motor vehicle. If the motor vehicle is inoperable and at least twenty model years old, then the scrap metal operator shall not be required to verify with the department of revenue whether the motor vehicle is subject to any recorded security interests or liens. As used in this subsection, the term "inoperable" means a motor vehicle that is in a rusted, wrecked, discarded, worn out, extensively damaged, dismantled, and mechanically inoperative condition and the vehicle's highest and best use is for scrap purposes. The director of the department of revenue is directed to promulgate rules and regulations to implement and administer the provisions of this section, including but not limited to, the development of a uniform bill of sale. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2012, shall be invalid and void.

301.550. 1. The definitions contained in section 301.010 shall apply to sections 301.550 to 301.573, and in addition as used in sections 301.550 to 301.573, the following terms mean:

(1) "Boat dealer", any natural person, partnership, or corporation who, for a commission or with an intent to make a profit or gain of money or other thing of value, sells, barter, exchanges, leases or rents with the option to purchase, offers, attempts to sell, or negotiates the sale of any vessel or vessel trailer, whether or not the vessel or vessel trailer is owned by such person. The sale of six or more vessels or vessel trailers or both in any calendar year shall be required as evidence that such person is eligible for licensure as a boat dealer under sections 301.550 to 301.573. The boat dealer shall demonstrate eligibility for renewal of his license by selling six or more vessels or vessel trailers or both in the prior calendar year while licensed as a boat dealer pursuant to sections 301.550 to 301.573;

(2) "Boat manufacturer", any person engaged in the manufacturing, assembling or modification of new vessels or vessel trailers as a regular business, including a person, partnership or corporation which acts for and is under the control of a manufacturer or assembly in connection with the distribution of vessels or vessel trailers;

(3) "Department", the Missouri department of revenue;

(4) "Director", the director of the Missouri department of revenue;

(5) "Emergency vehicles", motor vehicles used as ambulances, law enforcement vehicles, and fire fighting and assistance vehicles;

(6) "Manufacturer", any person engaged in the manufacturing, assembling or modification of new motor vehicles or trailers as a regular business, including a person, partnership or corporation which acts for and is under the control of a manufacturer or assembly in connection with the distribution of motor vehicles or accessories for motor vehicles;

(7) "Motor vehicle broker", a person who holds himself out through solicitation, advertisement, or otherwise as one who offers to arrange a transaction involving the retail sale of a motor vehicle, and who is not:

(a) A dealer, or any agent, or any employee of a dealer when acting on behalf of a dealer;

(b) A manufacturer, or any agent, or employee of a manufacturer when acting on behalf of a manufacturer;

(c) The owner of the vehicle involved in the transaction; or

(d) A public motor vehicle auction or wholesale motor vehicle auction where buyers are licensed dealers in this or any other jurisdiction;

(8) "Motor vehicle dealer" or "dealer", any person who, for commission or with an intent to make a profit or gain of money or other thing of value, sells, barter, exchanges, leases or rents with the option to purchase, or who offers or attempts to sell or negotiates the sale of motor vehicles or trailers whether or not the motor vehicles or trailers are owned by such person; provided, however, an individual auctioneer or auction conducted by an auctioneer licensed pursuant to chapter 343 shall not be included within the definition of a motor vehicle dealer.

The sale of six or more motor vehicles or trailers in any calendar year shall be required as evidence that such person is engaged in the motor vehicle business and is eligible for licensure as a motor vehicle dealer under sections 301.550 to 301.573. Any motor vehicle dealer licensed before August 28, 2007, shall be required to meet the minimum calendar year sales of six or more motor vehicles provided the dealer can prove the business achieved, cumulatively, six or more sales per year for the preceding twenty-four months in business; or if the dealer has not been in business for twenty-four months, the cumulative equivalent of one sale every two months for the months the dealer has been in business before August 28, 2007. Any licensed motor vehicle dealer failing to meet the minimum vehicle sales requirements as referenced in this subsection shall not be qualified to renew his or her license for one year. Applicants who reapply after the one-year period shall meet the requirement of six sales per year;

(9) "New motor vehicle", any motor vehicle being transferred for the first time from a manufacturer, distributor or new vehicle dealer which has not been registered or titled in this state or any other state and which is offered for sale, barter or exchange by a dealer who is franchised to sell, barter or exchange that particular make of motor vehicle. The term "new motor vehicle" shall not include manufactured homes, as defined in section 700.010;

(10) "New motor vehicle franchise dealer", any motor vehicle dealer who has been franchised to deal in a certain make of motor vehicle by the manufacturer or distributor of that make and motor vehicle and who may, in line with conducting his business as a franchise dealer, sell, barter or exchange used motor vehicles;

(11) "Person" includes an individual, a partnership, corporation, an unincorporated society or association, joint venture or any other entity;

(12) "Powersport dealer", any motor vehicle dealer who sells, either pursuant to a franchise agreement or otherwise, primarily motor vehicles including but not limited to motorcycles, all-terrain vehicles, and personal watercraft, as those terms are defined in this chapter and chapter 306;

(13) "Public motor vehicle auction", any person, firm or corporation who takes possession of a motor vehicle whether by consignment, bailment or any other arrangement, except by title, for the purpose of selling motor vehicles at a public auction by a licensed auctioneer;

(14) "Recreational motor vehicle dealer", a dealer of new or used motor vehicles designed, constructed or substantially modified for use as temporary housing quarters, including sleeping and eating facilities which are either permanently attached to the motor vehicle or attached to a unit which is securely attached to the motor vehicle;

(15) "Storage lot", an area within the same city or county where a dealer may store excess vehicle inventory;

(16) "Trailer dealer", any person selling, either exclusively or otherwise, trailers as defined in ~~[subdivision (60) of]~~ section 301.010. A trailer dealer may acquire a motor vehicle for resale only as a trade-in for a trailer. Notwithstanding the provisions of ~~[subdivision (11) of]~~ section 301.010 and section 301.069, trailer dealers may purchase one driveaway license plate to display such motor vehicle for demonstration purposes. The sale of six or more trailers in any calendar year shall be required as evidence that such person is engaged in the trailer business and is eligible for licensure as a trailer dealer under sections 301.550 to 301.573. Any trailer dealer licensed before August 28, 2007, shall be required to meet the minimum calendar year sales of six or more trailers provided the dealer can prove the business achieved, cumulatively, six or more sales per year for the preceding twenty-four months in business; or if the dealer has not been in business for twenty-four months, the cumulative equivalent of one sale every two months for the months the dealer has been in business before August 28, 2007. Any licensed trailer dealer failing to meet the minimum trailer and vehicle sales requirements as referenced in this subsection shall not be qualified to renew his or her license for one year. Applicants who reapply after the one-year period shall meet the requirement of six sales per year;

(17) "Used motor vehicle", any motor vehicle which is not a new motor vehicle, as defined in sections 301.550 to 301.573, and which has been sold, bartered, exchanged or given away or which may have had a title issued in this state or any other state, or a motor vehicle so used as to be what is commonly known as a secondhand

motor vehicle. In the event of an assignment of the statement of origin from an original franchise dealer to any individual or other motor vehicle dealer other than a new motor vehicle franchise dealer of the same make, the vehicle so assigned shall be deemed to be a used motor vehicle and a certificate of ownership shall be obtained in the assignee's name. The term "used motor vehicle" shall not include manufactured homes, as defined in section 700.010;

- (18) "Used motor vehicle dealer", any motor vehicle dealer who is not a new motor vehicle franchise dealer;
- (19) "Vessel", every boat and watercraft defined as a vessel in section 306.010;
- (20) "Vessel trailer", any trailer, as defined by section 301.010 which is designed and manufactured for the purposes of transporting vessels;
- (21) "Wholesale motor vehicle auction", any person, firm or corporation in the business of providing auction services solely in wholesale transactions at its established place of business in which the purchasers are motor vehicle dealers licensed by this or any other jurisdiction, and which neither buys, sells nor owns the motor vehicles it auctions in the ordinary course of its business. Except as required by law with regard to the auction sale of a government-owned motor vehicle, a wholesale motor vehicle auction shall not provide auction services in connection with the retail sale of a motor vehicle;

(22) "Wholesale motor vehicle dealer", a motor vehicle dealer who sells motor vehicles only to other new motor vehicle franchise dealers or used motor vehicle dealers or via auctions limited to other dealers of any class.

2. For purposes of sections 301.550 to 301.573, neither the term motor vehicle nor the term trailer shall include manufactured homes, as defined in section 700.010.

3. Dealers shall be divided into classes as follows:

- (1) Boat dealers;
- (2) Franchised new motor vehicle dealers;
- (3) Used motor vehicle dealers;
- (4) Wholesale motor vehicle dealers;
- (5) Recreational motor vehicle dealers;
- (6) Historic motor vehicle dealers;
- (7) Classic motor vehicle dealers;
- (8) Powersport dealers; and
- (9) Trailer dealers."; and

Further amend said amendment, Page 1, Section 304.170, Lines 11 to 16, by deleting all of said lines and inserting in lieu thereof the following:

"2. No vehicle operated upon the interstate highway system or upon any route designated by the ~~chief engineer of the state transportation department~~ **state highways and transportation commission** shall have a height, including load, in excess of fourteen feet. On all other highways, no vehicle shall have a height, including load, in excess of thirteen and one-half feet, except that any vehicle or combination of vehicles transporting automobiles or other motor vehicles may have a height, including load, of not more than fourteen feet."; and

Further amend said amendment, Page 2, Section 304.170, Line 12 to Page 3, Line 32, by deleting all of said lines and inserting in lieu thereof the following:

"highways not designated by the state highways and transportation commission as provided in subsection ~~[40]~~ **11** of this section, no combination of truck-tractor, semitrailer and trailer shall have an overall length, including load, in excess of sixty-five feet; provided, however, the ~~[state highways and transportation]~~ commission may designate additional routes for such sixty-five foot combinations.

7. Automobile transporters, boat transporters, truck-trailer boat transporter combinations, ~~[stinger-steered combination automobile transporters]~~ and stinger-steered combination boat transporters having a length not in excess of seventy-five feet may be operated on the interstate highways of this state and such other highways as may be designated by the ~~[highways and transportation]~~ commission for the operation of such vehicles plus a distance not to exceed ten miles from such interstate or designated highway. All length provisions regarding automobile or boat transporters, truck-trailer boat transporter combinations and stinger-steered ~~[combinations]~~ **combination boat transporters** shall include a semitrailer length not to exceed fifty-three feet and are exclusive of front and rear overhang, which shall be no greater than a three-foot front overhang and no greater than a four-foot rear overhang.

(1) Stinger-steered combination automobile transporters having a length not in excess of eighty feet may be operated on the interstate highways of this state and such other highways as may be designated by the commission for the operation of such vehicles plus a distance not to exceed ten miles from such interstate or designated highway. All length provisions regarding stinger-steered automobile combination transporters are exclusive of front and rear overhang, which shall be no greater than a four-foot front overhang and no greater than a six-foot rear overhang.

(2) Automobile transporters may transport cargo or general freight on a backhaul, as long as in compliance with weight limitations for a truck-tractor and semitrailer combination as outlined in section 304.180.

8. Driveaway saddlemount combinations having a length not in excess of ninety-seven feet may be operated on the interstate highways of this state and such other highways as may be designated by the ~~[highways and transportation]~~ commission for the operation of such vehicles plus a distance not to exceed ten miles from such interstate or designated highway. Saddlemount combinations must comply with the safety requirements of Section 393.71 of Title 49 of the Code of Federal Regulations and may contain no more than three saddlemounted vehicles and one fullmount.

9. No truck-tractor semitrailer-semitrailer combination vehicles operated upon the interstate and designated primary highway system of this state shall have a semitrailer length in excess of twenty-eight feet or twenty-eight and one-half feet if the semitrailer was in actual and lawful operation in any state on December 1, 1982, operating in a truck-tractor semitrailer-semitrailer combination. The B-train assembly is excluded from the measurement of semitrailer length when used between the first and second semitrailer of a truck-tractor semitrailer-semitrailer combination, except that when there is no semitrailer mounted to the B-train assembly, it shall be included in the length measurement of the semitrailer.

10. No towaway trailer transporter combination vehicles operated upon the interstate and designated primary highway system of this state shall have an overall length of more than eighty-two feet.

11. The ~~[highways and transportation]~~ commission is authorized to designate routes on the state highway system other than the interstate system over which those combinations of vehicles of the lengths specified in subsections 5, 6, 7, 8, ~~[and] 9, and 10~~ of this section may be operated. Combinations of vehicles operated under the provisions of subsections 5, 6, 7, 8, ~~[and] 9, and 10~~ of this section may be operated at a distance not to exceed ten miles from the interstate system and such routes as designated under the provisions of this subsection.

~~[11-] 12.~~ Except as provided in subsections 5, 6, 7, 8, 9, ~~[and] 10, and 11~~ of this section, no other combination of vehicles operated upon the primary or interstate highways of this state plus a distance of ten miles from a primary or interstate highway shall have an overall length, unladen or with load, in excess of sixty-five feet or in excess of fifty-five feet on any other highway~~[-, except the state highways and transportation commission may designate additional routes for use by sixty five foot combinations, seventy five foot stinger-steered or seventy five foot saddlemount combinations. Any vehicle or combination of vehicles transporting automobiles, boats or other motor vehicles may carry a load which extends no more than three feet beyond the front and four feet beyond the rear of the transporting vehicle or combination of vehicles].~~

~~[12-] 13.~~ (1) Except as hereinafter provided, these restrictions shall not apply to agricultural implements operating occasionally on the highways for short distances including tractor parades for fund-raising activities or special events, provided the tractors are driven by licensed drivers during daylight hours only and with the approval of the superintendent of the Missouri state highway patrol; or to self-propelled hay-hauling equipment or to implements of husbandry, or to the movement of farm products as defined in section 400.9-102 or to vehicles temporarily transporting agricultural implements or implements of husbandry or road-making machinery, or road materials or towing for repair purposes vehicles that have become disabled upon the highways; or to implement dealers delivering or moving farm machinery for repairs on any state highway other than the interstate system.

(2) Implements of husbandry and vehicles transporting such machinery or equipment and the movement of farm products as defined in section 400.9-102 may be operated occasionally for short distances on state highways when operated between the hours of sunrise and sunset by a driver licensed as an operator or chauffeur.

~~[13-] 14.~~ As used in this chapter the term "implements of husbandry" means all self-propelled machinery operated at speeds of less than thirty miles per hour, specifically designed for, or especially adapted to be capable of, incidental over-the-road and primary offroad usage and used exclusively for the application of commercial plant food materials or agricultural chemicals, and not specifically designed or intended for transportation of such chemicals and materials.

[14.] 15. Sludge disposal units may be operated on all state highways other than the interstate system. Such units shall not exceed one hundred thirty-eight inches in width and may be equipped with over-width tires. Such units shall observe all axle weight limits. The ~~[chief engineer of the state transportation department]~~ **commission** shall issue special permits for the movement of such disposal units and may by such permits restrict the movements to specified routes, days and hours.

304.180. 1. No vehicle or combination of vehicles shall be moved or operated on any highway in this state having a greater weight than twenty thousand pounds on one axle, no combination of vehicles operated by transporters of general freight over regular routes as defined in section 390.020 shall be moved or operated on any highway of this state having a greater weight than the vehicle manufacturer's rating on a steering axle with the maximum weight not to exceed twelve thousand pounds on a steering axle, and no vehicle shall be moved or operated on any state highway of this state having a greater weight than thirty-four thousand pounds on any tandem axle; the term "tandem axle" shall mean a group of two or more axles, arranged one behind another, the distance between the extremes of which is more than forty inches and not more than ninety-six inches apart.

2. An "axle load" is defined as 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.

3. Subject to the limit upon the weight imposed upon a highway of this state through any one axle or on any tandem axle, the total gross weight with load imposed by any group of two or more consecutive axles of any vehicle or combination of vehicles shall not exceed the maximum load in pounds as set forth in the following table:

Distance in feet between the extremes
of any group of two or more consecutive
axles, measured 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
21	40,000	51,500	56,000	61,000	66,500
22	40,000	52,500	56,500	61,500	67,000
23	40,000	53,000	57,500	62,500	68,000
24	40,000	54,000	58,000	63,000	68,500
25	40,000	54,500	58,500	63,500	69,000
26	40,000	55,500	59,500	64,000	69,500
27	40,000	56,000	60,000	65,000	70,000
28	40,000	57,000	60,500	65,500	71,000
29	40,000	57,500	61,500	66,000	71,500
30	40,000	58,500	62,000	66,500	72,000
31	40,000	59,000	62,500	67,500	72,500

32	40,000	60,000	63,500	68,000	73,000
33	40,000	60,000	64,000	68,500	74,000
34	40,000	60,000	64,500	69,000	74,500
35	40,000	60,000	65,500	70,000	75,000
36		60,000	66,000	70,500	75,500
37		60,000	66,500	71,000	76,000
38		60,000	67,500	72,000	77,000
39		60,000	68,000	72,500	77,500
40		60,000	68,500	73,000	78,000
41		60,000	69,500	73,500	78,500
42		60,000	70,000	74,000	79,000
43		60,000	70,500	75,000	80,000
44		60,000	71,500	75,500	80,000
45		60,000	72,000	76,000	80,000
46		60,000	72,500	76,500	80,000
47		60,000	73,500	77,500	80,000
48		60,000	74,000	78,000	80,000
49		60,000	74,500	78,500	80,000
50		60,000	75,500	79,000	80,000
51		60,000	76,000	80,000	80,000
52		60,000	76,500	80,000	80,000
53		60,000	77,500	80,000	80,000
54		60,000	78,000	80,000	80,000
55		60,000	78,500	80,000	80,000
56		60,000	79,500	80,000	80,000
57		60,000	80,000	80,000	80,000

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

4. Whenever the state highways and transportation commission finds that any state highway bridge in the state is in such a condition that use of such bridge by vehicles of the weights specified in subsection 3 of this section will endanger the bridge, or the users of the bridge, the commission may establish maximum weight limits and speed limits for vehicles using such bridge. The governing body of any city or county may grant authority by act or ordinance to the ~~[state highways and transportation]~~ commission to enact the limitations established in this section on those roadways within the purview of such city or county. Notice of the weight limits and speed limits established by the commission shall be given by posting signs at a conspicuous place at each end of any such bridge.

5. Nothing in this section shall be construed as permitting lawful axle loads, tandem axle loads or gross loads in excess of those permitted under the provisions of ~~[Section 127 of Title 23 of the United States Code]~~ **P.L. 97-424 codified in Title 23 of the United States Code (23 U.S.C. Section 101, et al.), as amended.**

6. Notwithstanding the weight limitations contained in this section, any vehicle or combination of vehicles operating on highways other than the interstate highway system may exceed single axle, tandem axle and gross weight limitations in an amount not to exceed two thousand pounds. However, total gross weight shall not exceed eighty thousand pounds, except as provided in subsections 9, ~~[and]~~ **10, 12, and 13** of this section.

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

8. Notwithstanding this section to the contrary, the maximum gross vehicle limit and axle weight limit for any vehicle or combination of vehicles equipped with an idle reduction technology may be increased by a quantity necessary to compensate for the additional weight of the idle reduction system as provided for in 23 U.S.C. Section 127, as amended. In no case shall the additional weight increase allowed by this subsection

be greater than five hundred fifty pounds. Upon request by an appropriate law enforcement officer, the vehicle operator shall provide proof that the idle reduction technology is fully functional at all times and that the gross weight increase is not used for any purpose other than for the use of idle reduction technology.

9. Notwithstanding any provision of this section or any other law to the contrary, the total gross weight of any vehicle or combination of vehicles hauling milk, from a farm to a processing facility or livestock may be as much as, but shall not exceed, eighty-five thousand five hundred pounds while operating on highways other than the interstate highway system. The provisions of this subsection shall not apply to vehicles operated and operating on the Dwight D. Eisenhower System of Interstate and Defense Highways.

10. Notwithstanding any provision of this section or any other law to the contrary, any vehicle or combination of vehicles hauling grain or grain coproducts during times of harvest may be as much as, but not exceeding, ten percent over the maximum weight limitation allowable under subsection 3 of this section while operating on highways other than the interstate highway system. The provisions of this subsection shall not apply to vehicles operated and operating on the Dwight D. Eisenhower System of Interstate and Defense Highways.

11. Notwithstanding any provision of this section or any other law to the contrary, the ~~[department of transportation]~~ **commission** shall issue emergency utility response permits for the transporting of utility wires or cables, poles, and equipment needed for repair work immediately following a disaster where utility service has been disrupted. Under exigent circumstances, verbal approval of such operation may be made either by the **department of transportation** motor carrier compliance supervisor or other designated motor carrier services representative. Utility vehicles and equipment used to assist utility companies granted special permits under this subsection may be operated and transported on state-maintained roads and highways at any time on any day. The ~~[department of transportation]~~ **commission** shall promulgate all necessary rules and regulations for the administration of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2014, shall be invalid and void.

12. Notwithstanding any provision of this section or any other law to the contrary, emergency vehicles designed to be used under emergency conditions to transport personnel and equipment and to mitigate hazardous situations may have a maximum gross vehicle weight of eighty-six thousand pounds inclusive of twenty-four thousand pounds on a single steering axle; thirty-three thousand five hundred pounds on a single drive axle; sixty-two thousand pounds on a tandem axle; or fifty-two thousand pounds on a tandem rear drive steer axle.

13. Notwithstanding any provision of this section or any other law to the contrary, a vehicle operated by an engine fueled primarily by natural gas may operate upon the public highways of this state in excess of the vehicle weight limits set forth in this section by an amount that is equal to the difference between the weight of the vehicle attributable to the natural gas tank and fueling system carried by that vehicle and the weight of a comparable diesel tank and fueling system. In no event shall the maximum gross vehicle weight of the vehicle operating with a natural gas engine exceed eighty-two thousand pounds."; and

Further amend said bill, Page 2, Section 307.175, Line 23, by inserting after all of said section and line the following:

"407.816. 1. As used in subdivision (7) of section 407.815, the term "motor vehicle" shall not include "trailer" as such term is defined in ~~subdivision (60) of~~ section 301.010.

2. Prior to August 1, 2002, the provisions of section 407.817, subdivisions (13), (17) and (18) of section 407.825 and section 407.826 shall not apply to recreational vehicle dealers or manufacturers.

3. As of August 1, 2002, the term "motor vehicle" as used in sections 407.810 to 407.835 shall not apply to recreational vehicles as defined in section 407.1320."; and

Further amend said bill, Page 2, Section B, Line 2, by deleting the phrase "section A" and inserting in lieu thereof the phrase "the repeal and reenactment of section 307.175 of this act"; and

Further amend said bill, page and section, Line 4, by deleting the phrase "section A" and inserting in lieu thereof the phrase "the repeal and reenactment of section 307.175 of this act"; and"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Korman, **House Amendment No. 1 to House Amendment No. 3** was adopted.

On motion of Representative Davis, **House Amendment No. 3, as amended**, was adopted.

Representative Roden offered **House Amendment No. 4**.

House Amendment No. 4

AMEND Senate Bill No. 8, Page 1, Section A, Line 2, by inserting immediately after all of said section and line the following:

"302.020. 1. Unless otherwise provided for by law, it shall be unlawful for any person, except those expressly exempted by section 302.080, to:

- (1) Operate any vehicle upon any highway in this state unless the person has a valid license;
- (2) Operate a motorcycle or motortricycle upon any highway of this state unless such person has a valid license that shows the person has successfully passed an examination for the operation of a motorcycle or motortricycle as prescribed by the director. The director may indicate such upon a valid license issued to such person, or shall issue a license restricting the applicant to the operation of a motorcycle or motortricycle if the actual demonstration, required by section 302.173, is conducted on such vehicle;
- (3) Authorize or knowingly permit a motorcycle or motortricycle owned by such person or under such person's control to be driven upon any highway by any person whose license does not indicate that the person has passed the examination for the operation of a motorcycle or motortricycle or has been issued an instruction permit therefor;
- (4) Operate a motor vehicle with an instruction permit or license issued to another person.

2. Every person **who is younger than twenty-one years of age** operating or riding as a passenger on any motorcycle or motortricycle, as defined in section 301.010, upon any highway of this state shall wear protective headgear at all times the vehicle is in motion. **Every person twenty-one years of age or older operating any motorcycle or motortricycle who has been issued an instruction permit shall wear protective headgear at all times the vehicle is in motion. Every person twenty-one years of age or older operating any motorcycle or motortricycle who has neither possessed his or her motorcycle license or motorcycle endorsement for a minimum period of two years nor completed a motorcycle safety education course approved pursuant to sections 302.133 to 302.137 shall wear protective headgear at all times the vehicle is in motion.** The protective headgear shall meet reasonable standards and specifications established by the director. **No person shall be stopped, inspected, or detained solely to determine compliance with this subsection.**

3. Notwithstanding the provisions of section 302.340 any person convicted of violating subdivision (1) or (2) of subsection 1 of this section is guilty of a misdemeanor. A first violation of subdivision (1) or (2) of subsection 1 of this section shall be punishable as a class D misdemeanor. A second violation of subdivision (1) or (2) of subsection 1 of this section shall be punishable as a class A misdemeanor. Any person convicted a third or subsequent time of violating subdivision (1) or (2) of subsection 1 of this section is guilty of a class E felony. Notwithstanding the provisions of section 302.340, violation of subdivisions (3) and (4) of subsection 1 of this section is a misdemeanor, the first violation punishable as a class D misdemeanor, a second or subsequent violation of this section punishable as a class C misdemeanor, and the penalty for failure to wear protective headgear as required by subsection 2 of this section is an infraction for which a fine not to exceed twenty-five dollars may be imposed. Notwithstanding all other provisions of law and court rules to the contrary, no court costs shall be imposed upon any person due to such violation. No points shall be assessed pursuant to section 302.302 for a failure to wear such protective headgear. Prior pleas of guilty and prior findings of guilty shall be pleaded and proven in the same manner as required by section 558.021.

302.026. 1. Any qualified motorcycle operator who is twenty-one years of age or older may operate a motorcycle or motortricycle upon any highway of this state without wearing protective headgear if he or she has first-party insurance coverage and has completed a motorcycle safety education course approved pursuant to sections 302.133 to 302.137 or possessed his or her motorcycle license or motorcycle endorsement for a minimum period of two years. In addition to maintaining proof of financial responsibility in accordance with chapter 303, any such qualified motorcycle operator who desires to operate a motorcycle or motortricycle upon any highway of this state without wearing protective headgear shall be covered by a health insurance policy.

2. Proof of coverage required by subsection 1 of this section shall be provided to law enforcement, upon request, by showing documentation indicating the qualified operator has the insurance coverage required by this section. The term "health benefit plan" as used in this section shall have the same meaning assigned to it in section 376.1350.

304.005. 1. As used in this section, the term "autocycle" means a three-wheeled motor vehicle ~~[on]~~ which the drivers and passengers ride in a **partially or** completely enclosed~~[-tandem]~~ **non-straddle** seating area ~~[that is equipped with air bag protection, a roll cage, safety belts for each occupant, and antilock brakes and],~~ that is designed to be controlled with a steering wheel and pedals, **and that has met applicable Department of Transportation National Highway Traffic Safety Administration requirements or Federal Motorcycle Safety Standards.**

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

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

Further amend said bill, Page 2, Section 307.175, Line 23, by inserting immediately after all of said section and line the following:

"476.385. 1. The judges of the supreme court may appoint a committee consisting of at least seven associate circuit judges, who shall meet en banc and establish and maintain a schedule of fines to be paid for violations of sections 210.104, 577.070, and 577.073, and chapters 252, 301, 302, 304, 306, 307 and 390, with such fines increasing in proportion to the severity of the violation. The associate circuit judges of each county may meet en banc and adopt the schedule of fines and participation in the centralized bureau pursuant to this section. Notice of such adoption and participation shall be given in the manner provided by supreme court rule. Upon order of the supreme court, the associate circuit judges of each county may meet en banc and establish and maintain a schedule of fines to be paid for violations of municipal ordinances for cities, towns and villages electing to have violations of its municipal ordinances heard by associate circuit judges, pursuant to section 479.040; and for traffic court divisions established pursuant to section 479.500. The schedule of fines adopted for violations of municipal ordinances may be modified from time to time as the associate circuit judges of each county en banc deem advisable. No fine established pursuant to this subsection may exceed the maximum amount specified by statute or ordinance for such violation. **Individual political subdivisions, including counties and municipalities, shall be prohibited from imposing a fine for any violation in excess of the fine specified for the violation on the schedule of fines established and maintained by the supreme court under this subsection.**

2. In no event shall any schedule of fines adopted pursuant to this section include offenses involving the following:

- (1) Any violation resulting in personal injury or property damage to another person;
- (2) Operating a motor vehicle while intoxicated or under the influence of intoxicants or drugs;
- (3) Operating a vehicle with a counterfeited, altered, suspended or revoked license;
- (4) Fleeing or attempting to elude an officer.

3. There shall be a centralized bureau to be established by supreme court rule in order to accept pleas of not guilty or guilty and payments of fines and court costs for violations of the laws and ordinances described in subsection 1 of this section, made pursuant to a schedule of fines established pursuant to this section. The centralized bureau shall collect, with any plea of guilty and payment of a fine, all court costs which would have been collected by the court of the jurisdiction from which the violation originated.

4. If a person elects not to contest the alleged violation, the person shall send payment in the amount of the fine and any court costs established for the violation to the centralized bureau. Such payment shall be payable to the central violations bureau, shall be made by mail or in any other manner established by the centralized bureau, and shall constitute a plea of guilty, waiver of trial and a conviction for purposes of section 302.302, and for purposes of imposing any collateral consequence of a criminal conviction provided by law. By paying the fine and costs, the person also consents to attendance either online or in person at any driver-improvement program or motorcycle-rider training course ordered by the court and consents to verification of such attendance as directed by the bureau. Notwithstanding any provision of law to the contrary, the prosecutor shall not be required to sign any information, ticket or indictment if disposition is made pursuant to this subsection. In the event that any payment is made pursuant to this section by credit card or similar method, the centralized bureau may charge an additional fee in order to reflect any transaction cost, surcharge or fee imposed on the recipient of the credit card payment by the credit card company.

5. If a person elects to plead not guilty, such person shall send the plea of not guilty to the centralized bureau. The bureau shall send such plea and request for trial to the prosecutor having original jurisdiction over the offense. Any trial shall be conducted at the location designated by the court. The clerk of the court in which the case is to be heard shall notify in writing such person of the date certain for the disposition of such charges. The prosecutor shall not be required to sign any information, ticket or indictment until the commencement of any proceeding by the prosecutor with respect to the notice of violation.

6. In courts adopting a schedule of fines pursuant to this section, any person receiving a notice of violation pursuant to this section shall also receive written notification of the following:

(1) The fine and court costs established pursuant to this section for the violation or information regarding how the person may obtain the amount of the fine and court costs for the violation;

(2) That the person must respond to the notice of violation by paying the prescribed fine and court costs, or pleading not guilty and appearing at trial, and that other legal penalties prescribed by law may attach for failure to appear and dispose of the violation. The supreme court may modify the suggested forms for uniform complaint and summons for use in courts adopting the procedures provided by this section, in order to accommodate such required written notifications.

7. Any moneys received in payment of fines and court costs pursuant to this section shall not be considered to be state funds, but shall be held in trust by the centralized bureau for benefit of those persons or entities entitled to receive such funds pursuant to this subsection. All amounts paid to the centralized bureau shall be maintained by the centralized bureau, invested in the manner required of the state treasurer for state funds by sections 30.240, 30.250, 30.260 and 30.270, and disbursed as provided by the constitution and laws of this state. Any interest earned on such fund shall be payable to the director of the department of revenue for deposit into a revolving fund to be established pursuant to this subsection. The state treasurer shall be the custodian of the revolving fund, and shall make disbursements, as allowed by lawful appropriations, only to the judicial branch of state government for goods and services related to the administration of the judicial system.

8. Any person who receives a notice of violation subject to this section who fails to dispose of such violation as provided by this section shall be guilty of failure to appear provided by section 544.665; and may be subject to suspension of driving privileges in the manner provided by section 302.341. The centralized bureau shall notify the appropriate prosecutor of any person who fails to either pay the prescribed fine and court costs, or plead not guilty and request a trial within the time allotted by this section, for purposes of application of section 544.665. The centralized bureau shall also notify the department of revenue of any failure to appear subject to section 302.341, and the department shall thereupon suspend the license of the driver in the manner provided by section 302.341, as if notified by the court.

9. In addition to the remedies provided by subsection 8 of this section, the centralized bureau and the courts may use the remedies provided by sections 488.010 to 488.020 for the collection of court costs payable to courts, in order to collect fines and court costs for violations subject to this section."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Speaker Pro Tem Haahr assumed the Chair.

Representative Chipman assumed the Chair.

Speaker Richardson resumed the Chair.

On motion of Representative Roden, **House Amendment No. 4** was adopted.

Representative Fitzwater (144) offered **House Amendment No. 5**.

House Amendment No. 5

AMEND Senate Bill No. 8, Page 1, Section A, Line 2, by inserting after all of said section and line the following:

"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;

(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;

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

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

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

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

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

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

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

(11) "Driveaway operation":

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

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

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

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

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

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

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

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

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

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

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

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

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

(22) "Junk vehicle", a vehicle which:

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

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

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

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

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

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

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

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

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

(28) "Local transit bus", a bus whose operations are confined wholly within a municipal corporation, or wholly within a municipal corporation and a commercial zone, as defined in section 390.020, adjacent thereto,

forming a part of a public transportation system within such municipal corporation and such municipal corporation and adjacent commercial zone;

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

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

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

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

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

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

(a) Offered for hire or lease; or

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(49) "Saddlemount combination", a combination of vehicles in which a truck or truck tractor tows one or more trucks or truck tractors, each connected by a saddle to the frame or fifth wheel of the vehicle in front of it. The "saddle" is a mechanism that connects the front axle of the towed vehicle to the frame or fifth wheel of the vehicle in front and functions like a fifth wheel kingpin connection. When two vehicles are towed in this manner the

combination is called a "double saddlemount combination". When three vehicles are towed in this manner, the combination is called a "triple saddlemount combination";

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(60) "Trailer", any vehicle without motive power designed for carrying property or passengers on its own structure and for being drawn by a self-propelled vehicle, except those running exclusively on tracks, including a

semitrailer or vehicle of the trailer type so designed and used in conjunction with a self-propelled vehicle that a considerable part of its own weight rests upon and is carried by the towing vehicle. The term trailer shall not include cotton trailers as defined in subdivision (8) of this section and shall not include manufactured homes as defined in section 700.010;

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

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

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

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

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

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

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

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

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

301.062. **1.** The annual registration fee for a local log truck, registered pursuant to this chapter, is three hundred dollars.

2. A local log truck may receive an extended distance local log truck permit for an additional fee of three hundred dollars. A local log truck with an extended distance local log truck permit shall be allowed to transport harvested or processed forest products outside of the one-hundred-mile radius from the forested site at the weight limits for commercial vehicles specified in section 304.180. For the purposes of this section, "processed forest products" shall mean wood products that are produced from the initial processing of a round log and have received no additional manufacturing or packaging to prepare the material for any retail market including, but not limited to, sawdust, wood chips, bark, slabs, and green square edged lumber products."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Fitzwater (144), **House Amendment No. 5** was adopted.

Representative Eggleston offered **House Amendment No. 6**.

House Amendment No. 6

AMEND Senate Bill No. 8, Page 1, Section A, Line 2, by inserting immediately after said section and line the following:

"229.150. 1. All driveways or crossings over ditches connecting highways with the private property shall be made under the supervision of the **road** overseer or commissioners of the road districts.

2. ~~[Any]~~ **No** person or persons ~~[who]~~ shall willfully or knowingly obstruct or damage any public road by obstructing the side or cross drainage or ditches thereof, or by turning water upon such road or right-of-way, or by throwing or depositing brush, trees, stumps, logs, or any refuse or debris whatsoever, in said road, or on the sides or in the ditches thereof, or by fencing across or upon the right-of-way of the same, or by planting any hedge or erecting any advertising sign within the lines established for such road, or by changing the location thereof, or shall obstruct **or damage** said road, highway, or drains in any other manner whatsoever~~[- shall be deemed guilty of a misdemeanor, and, upon conviction, shall be fined not less than five dollars nor more than two hundred dollars, or by imprisonment in the county jail for not exceeding six months, or by both such fine and imprisonment].~~

3. The road overseer of any district, or county highway engineer, who finds any road **damaged or** obstructed as above specified, ~~[shall]~~ **may** notify the ~~[person]~~ **landowner** violating the provisions of this section, ~~[verbally or]~~ in writing, to remove such obstruction, **to repair such damage in a manner approved by the road overseer or county highway engineer making the request, or to pay the reasonable cost of such removal or repair.** ~~[Within ten days after being notified, he shall pay the sum of five dollars for each and every day after the tenth day if such obstruction is maintained or permitted to remain; such fine to be recovered by suit brought by the road overseer, in the name of the road district, in any court of competent jurisdiction]~~ **If the landowner fails to remove any obstruction, make any repairs, or remit any payment of costs as requested within thirty days, the road overseer or county highway engineer may petition the associate circuit court of the county in which the land is located to authorize the overseer or engineer or an agent or employee thereof, to enter the landowner's land to remove the obstruction or to repair the damage, in order to restore the roadway or drainage ditch to a condition substantially the same as the adjacent roadways and drainage ditches. Such entry on the landowner's lands shall be limited to the extent necessary to repair the roadway or drainage ditch, and shall constitute no cause of action for trespass. The petition shall include an estimate of the costs.**

4. **If the court enters a judgment granting the petition and authorizing the actions requested therein, the judgment shall include an award for the reasonable cost of removal or repair, court costs, and reasonable attorney's fees, and shall become a lien on such lands, and shall be collected as state and county taxes are collected by law.**"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Eggleston, **House Amendment No. 6** was adopted.

Representative Christofanelli offered **House Amendment No. 7.**

House Amendment No. 7

AMEND Senate Bill No. 8, Page 1, Section A, Line 2, by inserting after all of said section and line the following:

"301.147. 1. Notwithstanding the provisions of section 301.020 to the contrary, beginning July 1, 2000, the director of revenue may provide owners of motor vehicles, other than commercial motor vehicles licensed in excess of fifty-four thousand pounds gross weight, the option of biennially registering motor vehicles. Any vehicle manufactured as an even-numbered model year vehicle shall be renewed each even-numbered calendar year and any such vehicle manufactured as an odd-numbered model year vehicle shall be renewed each odd-numbered calendar year, subject to the following requirements:

(1) The fee collected at the time of biennial registration shall include the annual registration fee plus a pro rata amount for the additional twelve months of the biennial registration;

(2) Presentation of all documentation otherwise required by law for vehicle registration including, but not limited to, a personal property tax receipt or certified statement for the preceding year that no such taxes were due as set forth in section 301.025, proof of a motor vehicle safety inspection and any applicable emission inspection conducted within sixty days prior to the date of application, and proof of insurance as required by section 303.026.

2. Notwithstanding the provisions of subsection 1 of this section and the provisions of section 301.020 to the contrary, beginning January 1, 2018, the director of revenue shall provide owners of motor vehicles other than commercial motor vehicles licensed in excess of fifty-four thousand pounds gross weight, the option of a three-year registration when the vehicle would be ineligible for a biennial registration but eligible for an annual registration under subsection 1 of this section, subject to the following requirements:

(1) The fee collected at the time of three-year registration shall include the biennial registration fee plus a pro rata amount for the additional twelve months of the three-year registration;

(2) Presentation of all documentation otherwise required by law for vehicle registration including, but not limited to, a personal property tax receipt or certified statement for the two preceding years that no such taxes were due as set forth under section 301.025, proof of a motor vehicle safety inspection and any applicable emission inspection conducted within sixty days prior to the date of application, and proof of insurance as required by section 303.026.

3. The director of revenue may prescribe rules and regulations for the effective administration of this section. The director is authorized to adopt those rules that are reasonable and necessary to accomplish the limited duties specifically delegated within this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is promulgated pursuant to the authority delegated in this section shall become effective only if it has been promulgated pursuant to the provisions of chapter 536. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after July 1, 2000, shall be invalid and void.

~~[3-]~~ **4.** The director of revenue shall have the authority to stagger the registration period of motor vehicles other than commercial motor vehicles licensed in excess of twelve thousand pounds gross weight. Once the owner of a motor vehicle chooses the option of biennial registration, such registration [must] **shall** be maintained for the full twenty-four month period."; and

Further amend said bill, Page 2, Section B, Lines 1 to 5, by removing all of said section and inserting in lieu thereof the following:

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

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Christofanelli, **House Amendment No. 7** was adopted.

Representative Korman offered **House Amendment No. 8.**

House Amendment No. 8

AMEND Senate Bill No. 8, Page 1, Section A, Line 2, by inserting after all of said section and line the following:

"307.005. For purposes of this chapter, a lamp, light, or other piece of lighting equipment consisting of multiple light-emitting diodes shall be deemed to be operating properly so long as not less than seventy-five percent of the light-emitting diodes are operating properly."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Davis offered **House Amendment No. 1 to House Amendment No. 8.**

House Amendment No. 1
to
House Amendment No. 8

AMEND House Amendment No. 8 to Senate Bill No. 8, Page 1, Line 4, by deleting all of said line and inserting in lieu thereof the following:

"304.022. 1. Upon the immediate approach of an emergency vehicle giving audible signal by siren or while having at least one lighted lamp exhibiting red light visible under normal atmospheric conditions from a distance of five hundred feet to the front of such vehicle or a flashing blue light authorized by section 307.175, the driver of every other vehicle shall yield the right-of-way and shall immediately drive to a position parallel to, and as far as possible to the right of, the traveled portion of the highway and thereupon stop and remain in such position until such emergency vehicle has passed, except when otherwise directed by a police or traffic officer.

2. Upon approaching a stationary emergency vehicle displaying lighted red or red and blue lights, or a stationary vehicle owned by the state highways and transportation commission and operated by an authorized employee of the department of transportation or a stationary vehicle owned by a contractor or subcontractor performing work for the department of transportation displaying lighted amber, ~~[ø]~~ amber and white lights, **or red and blue lights, or a stationary vehicle operated by a utility worker, as defined in section 565.081, displaying lighted amber or amber and white lights**, the driver of every motor vehicle shall:

(1) Proceed with caution and yield the right-of-way, if possible with due regard to safety and traffic conditions, by making a lane change into a lane not adjacent to that of the stationary vehicle, if on a roadway having at least four lanes with not less than two lanes proceeding in the same direction as the approaching vehicle; or

(2) Proceed with due caution and reduce the speed of the vehicle, maintaining a safe speed for road conditions, if changing lanes would be unsafe or impossible.

3. The motorman of every streetcar shall immediately stop such car clear of any intersection and keep it in such position until the emergency vehicle has passed, except as otherwise directed by a police or traffic officer.

4. An "emergency vehicle" is a vehicle of any of the following types:

(1) A vehicle operated by the state highway patrol, the state water patrol, the Missouri capitol police, a conservation agent, or a state park ranger, those vehicles operated by enforcement personnel of the state highways and transportation commission, police or fire department, sheriff, constable or deputy sheriff, federal law enforcement officer authorized to carry firearms and to make arrests for violations of the laws of the United States, traffic officer or coroner or by a privately owned emergency vehicle company;

(2) A vehicle operated as an ambulance or operated commercially for the purpose of transporting emergency medical supplies or organs;

(3) Any vehicle qualifying as an emergency vehicle pursuant to section 307.175;

(4) Any wrecker, or tow truck or a vehicle owned and operated by a public utility or public service corporation while performing emergency service;

(5) Any vehicle transporting equipment designed to extricate human beings from the wreckage of a motor vehicle;

(6) Any vehicle designated to perform emergency functions for a civil defense or emergency management agency established pursuant to the provisions of chapter 44;

(7) Any vehicle operated by an authorized employee of the department of corrections who, as part of the employee's official duties, is responding to a riot, disturbance, hostage incident, escape or other critical situation where there is the threat of serious physical injury or death, responding to mutual aid call from another criminal justice agency, or in accompanying an ambulance which is transporting an offender to a medical facility;

(8) Any vehicle designated to perform hazardous substance emergency functions established pursuant to the provisions of sections 260.500 to 260.550; or

(9) Any vehicle owned by the state highways and transportation commission and operated by an authorized employee of the department of transportation that is marked as a department of transportation emergency response or motorist assistance vehicle.

5. (1) The driver of any vehicle referred to in subsection 4 of this section shall not sound the siren thereon or have the front red lights or blue lights on except when such vehicle is responding to an emergency call or when in pursuit of an actual or suspected law violator, or when responding to, but not upon returning from, a fire.

(2) The driver of an emergency vehicle may:

- (a) Park or stand irrespective of the provisions of sections 304.014 to 304.025;
 - (b) Proceed past a red or stop signal or stop sign, but only after slowing down as may be necessary for safe operation;
 - (c) Exceed the prima facie speed limit so long as the driver does not endanger life or property;
 - (d) Disregard regulations governing direction of movement or turning in specified directions.
- (3) The exemptions granted to an emergency vehicle pursuant to subdivision (2) of this subsection shall apply only when the driver of any such vehicle while in motion sounds audible signal by bell, siren, or exhaust whistle as may be reasonably necessary, and when the vehicle is equipped with at least one lighted lamp displaying a red light or blue light visible under normal atmospheric conditions from a distance of five hundred feet to the front of such vehicle.

6. No person shall purchase an emergency light as described in this section without furnishing the seller of such light an affidavit stating that the light will be used exclusively for emergency vehicle purposes.

7. Violation of this section shall be deemed a class A misdemeanor.

307.005. For purposes of this chapter, a lamp, light, or other piece of lighting equipment"; and

Further amend said amendment and page, Line 6, by inserting after all of said line the following:

"Further amend said bill and page, Section 307.175, Line 12, by deleting all of said line and inserting in lieu thereof the following:

"or rotating amber or white lights, [~~but amber or white lights shall be used only~~] **or red or blue lights from dusk to dawn**"; and"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Davis, **House Amendment No. 1 to House Amendment No. 8** was adopted.

On motion of Representative Korman, **House Amendment No. 8, as amended**, was adopted.

Representative Redmon offered **House Amendment No. 9**.

House Amendment No. 9

AMEND Senate Bill No. 8, Page 1, Section A, Line 2, by inserting after all of said line the following:

"304.120. 1. Municipalities, by ordinance, may establish reasonable speed regulations for motor vehicles within the limits of such municipalities. No person who is not a resident of such municipality and who has not been within the limits thereof for a continuous period of more than forty-eight hours shall be convicted of a violation of such ordinances, unless it is shown by competent evidence that there was posted at the place where the boundary of such municipality joins or crosses any highway a sign displaying in black letters not less than four inches high and one inch wide on a white background the speed fixed by such municipality so that such sign may be clearly seen by operators and drivers from their vehicles upon entering such municipality.

2. Municipalities, by ordinance, may:

- (1) Make additional rules of the road or traffic regulations to meet their needs and traffic conditions;
- (2) Establish one-way streets and provide for the regulation of vehicles thereon;
- (3) Require vehicles to stop before crossing certain designated streets and boulevards;
- (4) Limit the use of certain designated streets and boulevards to passenger vehicles, except that each municipality shall allow at least one route, with lawful traffic movement and access from both directions, to be available for use by commercial motor vehicles to access any roads in the state highway system. Under no circumstances shall the provisions of this subdivision be construed to authorize a municipality to limit the use of all routes in the municipality. **The use by commercial motor vehicles of a municipality-designated route for such**

vehicles in compliance with any ordinances of the designating municipality shall not be deemed a nuisance or evidence of a nuisance. Nothing contained in this subdivision is intended to modify or limit recovery for any claim that is independent of a nuisance claim;

(5) Prohibit the use of certain designated streets to vehicles with metal tires, or solid rubber tires;

(6) Regulate the parking of vehicles on streets by the installation of parking meters for limiting the time of parking and exacting a fee therefor or by the adoption of any other regulatory method that is reasonable and practical, and prohibit or control left-hand turns of vehicles;

(7) Require the use of signaling devices on all motor vehicles; and

(8) Prohibit sound-producing warning devices, except horns directed forward.

3. No ordinance shall be valid which contains provisions contrary to or in conflict with this chapter, except as herein provided.

4. No ordinance shall impose liability on the owner-lessor of a motor vehicle when the vehicle is being permissively used by a lessee and is illegally parked or operated if the registered owner-lessor of such vehicle furnishes the name, address and operator's license number of the person renting or leasing the vehicle at the time the violation occurred to the proper municipal authority within three working days from the time of receipt of written request for such information. Any registered owner-lessor who fails or refuses to provide such information within the period required by this subsection shall be liable for the imposition of any fine established by municipal ordinance for the violation. Provided, however, if a leased motor vehicle is illegally parked due to a defect in such vehicle, which renders it inoperable, not caused by the fault or neglect of the lessee, then the lessor shall be liable on any violation for illegal parking of such vehicle.

5. No ordinance shall deny the use of commercial motor vehicles on all routes within the municipality. For purposes of this section, the term "route" shall mean any state road, county road, or public street, avenue, boulevard, or parkway.

6. No ordinance shall prohibit the operator of a motor vehicle from being in an intersection while a red signal is being displayed if the operator of the motor vehicle entered the intersection during a yellow signal interval. The provisions of this subsection shall supercede any local laws, ordinances, orders, rules, or regulations enacted by a county, municipality, or other political subdivision that are to the contrary."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative McGaugh offered **House Amendment No. 1 to House Amendment No. 9.**

*House Amendment No. 1
to
House Amendment No. 9*

AMEND House Amendment No. 9 to Senate Bill No. 8, Page 2, Line 15, by inserting immediately after said line the following:

"Further amend said bill, Page 2, Section 307.175, Line 23, by inserting immediately after said section and line the following:

"574.010. 1. A person commits the offense of peace disturbance if he or she:

(1) Unreasonably and knowingly disturbs or alarms another person or persons by:

(a) Loud noise; or

(b) Offensive language addressed in a face-to-face manner to a specific individual and uttered under circumstances which are likely to produce an immediate violent response from a reasonable recipient; or

(c) Threatening to commit a felonious act against any person under circumstances which are likely to cause a reasonable person to fear that such threat may be carried out; or

(d) Fighting; or

(e) Creating a noxious and offensive odor;

(2) Is in a public place or on private property of another without consent and purposely causes inconvenience to another person or persons by unreasonably and physically obstructing:

(a) Vehicular or pedestrian traffic; or

(b) The free ingress or egress to or from a public or private place.

2. **Notwithstanding the provisions of subdivision (1) of subsection 1 of this section, a person does not commit the offense of peace disturbance by creating a loud noise or creating a noxious or offensive odor if such alleged noise or odor arises from or is attendant to:**

(a) **Raising, maintaining, or keeping livestock as defined in section 277.020 including, but not limited to, any noise or odor made directly by or coming directly from any livestock;**

(b) **Planting, caring for, maintaining, or harvesting crops or hay; or**

(c) **The engine of a vehicle or tractor while engaged in normal business related activities.**

3. The offense of peace disturbance is a class B misdemeanor upon the first conviction. Upon a second or subsequent conviction, peace disturbance is a class A misdemeanor. Upon a third or subsequent conviction, a person shall be sentenced to pay a fine of no less than one thousand dollars and no more than five thousand dollars."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative McGaugh, **House Amendment No. 1 to House Amendment No. 9** was adopted.

Representative Kolkmeier offered **House Amendment No. 2 to House Amendment No. 9**.

House Amendment No. 2

to

House Amendment No. 9

AMEND House Amendment No. 9 to Senate Bill No. 8, Page 1, Line 3, by deleting all of said line and inserting in lieu thereof the following:

""142.800. As used in this chapter, the following words, terms and phrases have the meanings given:

(1) "Agricultural purposes", clearing, terracing or otherwise preparing the ground on a farm; preparing soil for planting and fertilizing, cultivating, raising and harvesting crops; raising and feeding livestock and poultry; building fences; pumping water for any and all uses on the farm, including irrigation; building roads upon any farm by the owner or person farming the same; operating milking machines; sawing wood for use on a farm; producing electricity for use on a farm; movement of tractors, farm implements and nonlicensed equipment from one field to another;

(2) "Alternative fuel", electricity, liquefied petroleum gas (LPG or LP gas), compressed natural gas product, or a combination of liquefied petroleum gas and a compressed natural gas or electricity product used in an internal combustion engine or motor to propel any form of vehicle, machine, or mechanical contrivance. It includes all forms of fuel commonly or commercially known or sold as butane, propane, or compressed natural gas;

(3) "Aviation fuel", any motor fuel specifically compounded for use in reciprocating aircraft engines;

(4) "Blend stock", any petroleum product component of motor fuel, such as naphtha, reformat, toluene or kerosene, that can be blended for use in a motor fuel without further processing. The term includes those petroleum products presently defined by the Internal Revenue Service in regulations pursuant to 26 U.S.C., Sections 4081 and 4082, as amended. However, the term does not include any substance that:

(a) Will be ultimately used for consumer nonmotor fuel use; and

(b) Is sold or removed in drum quantities (fifty-five gallons) or less at the time of the removal or sale;

(5) "Blended fuel", a mixture composed of motor fuel and another liquid including blend stock, other than a de minimis amount of a product such as carburetor detergent or oxidation inhibitor, that can be used as a fuel in a highway vehicle. This term includes but is not limited to gasohol, ethanol, methanol, fuel grade alcohol, diesel fuel enhancers and resulting blends;

(6) "Blender", any person that produces blended motor fuel outside the bulk transfer/terminal system;

(7) "Blending", the mixing of one or more petroleum products, with or without another product, regardless of the original character of the product blended, if the product obtained by the blending is capable of use or otherwise sold for use in the generation of power for the propulsion of a motor vehicle, an airplane, or a motorboat. The term does not include the blending that occurs in the process of refining by the original refiner of crude petroleum or the blending of products known as lubricating oil and greases;

(8) "Bulk plant", a bulk motor fuel storage and distribution facility that is not a terminal within the bulk transfer system and from which motor fuel may be removed by truck;

(9) "Bulk transfer", any transfer of motor fuel from one location to another by pipeline tender or marine delivery within the bulk transfer/terminal system;

(10) "Bulk transfer/terminal system", the motor fuel distribution system consisting of refineries, pipelines, vessels, and terminals. Motor fuel in a refinery, pipeline, boat, barge or terminal is in the bulk transfer/terminal system. Motor fuel in the fuel supply tank of any engine, or in any tank car, rail car, trailer, truck, or other equipment suitable for ground transportation is not in the bulk transfer/terminal system;

(11) "Consumer", the user of the motor fuel;

(12) "Delivery", the placing of motor fuel or any liquid **or propulsion energy** into the **battery**, fuel tank, **or storage device** of a motor vehicle or bulk storage facility;

(13) "Department", the department of revenue;

(14) "Destination state", the state, territory, or foreign country to which motor fuel is directed for delivery into a storage facility, a receptacle, a container, or a type of transportation equipment for the purpose of resale or use;

(15) "Diesel fuel", any liquid that is commonly or commercially known or sold as a fuel that is suitable for use in a diesel-powered highway vehicle. A liquid meets this requirement if, without further processing or blending, the liquid has practical and commercial fitness for use in the propulsion engine of a diesel-powered highway vehicle. "Diesel fuel" does not include jet fuel sold to a buyer who is registered with the Internal Revenue Service to purchase jet fuel and remit taxes on its sale or use to the Internal Revenue Service. "Diesel fuel" does not include biodiesel commonly referred to as B100 and defined in ASTM D6751, B99, or B99.9 until such biodiesel is blended with other diesel fuel or sold for highway use;

(16) "Diesel-powered highway vehicle", a motor vehicle operated on a highway that is propelled by a diesel-powered engine;

(17) "Director", the director of revenue;

(18) "Distributor", a person who either produces, refines, blends, compounds or manufactures motor fuel, imports motor fuel into a state or exports motor fuel out of a state, or who is engaged in distribution of motor fuel;

(19) "Dyed fuel", diesel fuel or kerosene that is required to be dyed pursuant to United States Environmental Protection Agency rules or is dyed pursuant to Internal Revenue Service rules or pursuant to any other requirements subsequently set by the United States Environmental Protection Agency or Internal Revenue Service including any invisible marker requirements;

(20) "Eligible purchaser", a distributor who has been authorized by the director to purchase motor fuel on a tax-deferred basis;

(21) "Export", to obtain motor fuel in this state for sale or other distribution outside of this state. In applying this definition, motor fuel delivered out of state by or for the seller constitutes an export by the seller, and motor fuel delivered out of state by or for the purchaser constitutes an export by the purchaser;

(22) "Exporter", any person, other than a supplier, who purchases motor fuel in this state for the purpose of transporting or delivering the fuel outside of this state;

(23) "Farm tractor", all tractor-type, motorized farm implements and equipment but shall not include motor vehicles of the truck-type, pickup truck-type, automobiles, and other motor vehicles required to be registered and licensed each year pursuant to the provisions of the motor vehicle license and registration laws of this state;

(24) "Fuel grade alcohol", a methanol or ethanol with a proof of not less than one hundred ninety degrees (determined without regard to denaturants) and products derived from such alcohol for blending with motor fuel;

(25) "Fuel transportation vehicle", any vehicle designed for highway use which is also designed or used to transport motor fuels and includes transport trucks and tank wagons;

(26) "Gasoline", all products commonly or commercially known or sold as gasoline that are suitable for use as a motor fuel. Gasoline does not include products that have an American Society for Testing and Materials (ASTM) octane number of less than seventy-five as determined by the motor method;

(27) "Gross gallons", the total measured motor fuel, exclusive of any temperature or pressure adjustments, in U.S. gallons;

(28) "Heating oil", a motor fuel that is burned in a boiler, furnace, or stove for heating or industrial processing purposes;

(29) "Import", to bring motor fuel into this state by any means of conveyance other than in the fuel supply tank of a motor vehicle. In applying this definition, motor fuel delivered into this state from out-of-state by or for

the seller constitutes an import by the seller, and motor fuel delivered into this state from out-of-state by or for the purchaser constitutes an import by the purchaser;

(30) "Import verification number", the number assigned by the director with respect to a single transport truck delivery into this state from another state upon request for an assigned number by an importer or the transporter carrying motor fuel into this state for the account of an importer;

(31) "Importer" includes any person who is the importer of record, pursuant to federal customs law, with respect to motor fuel. If the importer of record is acting as an agent, the person for whom the agent is acting is the importer. If there is no importer of record of motor fuel entered into this state, the owner of the motor fuel at the time it is brought into this state is the importer;

(32) "Interstate motor fuel user", any person who operates a motor fuel-powered motor vehicle with a licensed gross weight exceeding twenty-six thousand pounds that travels from this state into another state or from another state into this state;

(33) "Invoiced gallons", the gallons actually billed on an invoice for payment to a supplier which shall be either gross or net gallons on the original manifest or bill of lading;

(34) "K-1 kerosene", a petroleum product having an A.P.I. gravity of not less than forty degrees, at a temperature of sixty degrees Fahrenheit and a minimum flash point of one hundred degrees Fahrenheit with a sulfur content not exceeding four one-hundredths percent by weight;

(35) "Kerosene", the petroleum fraction containing hydrocarbons that are slightly heavier than those found in gasoline and naphtha, with a boiling range of one hundred forty-nine to three hundred degrees Celsius;

(36) "Liquid", any substance that is liquid in excess of sixty degrees Fahrenheit and at a pressure of fourteen and seven-tenths pounds per square inch absolute;

(37) "Motor fuel", gasoline, diesel fuel, kerosene and blended fuel;

(38) "Motor vehicle", any automobile, truck, truck-tractor or any motor bus or self-propelled vehicle not exclusively operated or driven upon fixed rails or tracks. The term does not include:

(a) Farm tractors or machinery including tractors and machinery designed for off-road use but capable of movement on roads at low speeds, or

(b) A vehicle solely operated on rails;

(39) "Net gallons", the motor fuel, measured in U.S. gallons, when corrected to a temperature of sixty degrees Fahrenheit and a pressure of fourteen and seven-tenths pounds per square inch absolute (psi);

(40) "Permissive supplier", an out-of-state supplier that elects, but is not required, to have a supplier's license pursuant to this chapter;

(41) "Person", natural persons, individuals, partnerships, firms, associations, corporations, estates, trustees, business trusts, syndicates, this state, any county, city, municipality, school district or other political subdivision of the state, federally recognized Indian tribe, or any corporation or combination acting as a unit or any receiver appointed by any state or federal court;

(42) "Position holder", the person who holds the inventory position in motor fuel in a terminal, as reflected on the records of the terminal operator. A person holds the inventory position in motor fuel when that person has a contract with the terminal operator for the use of storage facilities and terminating services for motor fuel at the terminal. The term includes a terminal operator who owns motor fuel in the terminal;

(43) "Propel", the operation of a motor vehicle, whether it is in motion or at rest;

(44) "Public highway", every road, toll road, highway, street, way or place generally open to the use of the public as a matter of right for the purposes of vehicular travel, including streets and alleys of any town or city notwithstanding that the same may be temporarily closed for construction, reconstruction, maintenance or repair;

(45) "Qualified terminal", a terminal which has been assigned a terminal control number ("tcn") by the Internal Revenue Service;

(46) "Rack", a mechanism for delivering motor fuel from a refinery or terminal into a railroad tank car, a transport truck or other means of bulk transfer outside of the bulk transfer/terminal system;

(47) "Refiner", any person that owns, operates, or otherwise controls a refinery;

(48) "Refinery", a facility used to produce motor fuel from crude oil, unfinished oils, natural gas liquids, or other hydrocarbons and from which motor fuel may be removed by pipeline, by boat or barge, or at a rack;

(49) "Removal", any physical transfer of motor fuel from a terminal, manufacturing plant, customs custody, pipeline, boat or barge, refinery or any facility that stores motor fuel;

(50) "Retailer", a person that engages in the business of selling or dispensing to the consumer within this state;

(51) "Supplier", a person that is:

(a) Registered or required to be registered pursuant to 26 U.S.C., Section 4101, for transactions in motor fuels in the bulk transfer/terminal distribution system; and

- (b) One or more of the following:
- a. The position holder in a terminal or refinery in this state;
 - b. Imports motor fuel into this state from a foreign country;
 - c. Acquires motor fuel from a terminal or refinery in this state from a position holder pursuant to either a two-party exchange or a qualified buy-sell arrangement which is treated as an exchange and appears on the records of the terminal operator; or
 - d. The position holder in a terminal or refinery outside this state with respect to motor fuel which that person imports into this state. A terminal operator shall not be considered a supplier based solely on the fact that the terminal operator handles motor fuel consigned to it within a terminal. "Supplier" also means a person that produces fuel grade alcohol or alcohol-derivative substances in this state, produces fuel grade alcohol or alcohol-derivative substances for import to this state into a terminal, or acquires upon import by truck, rail car or barge into a terminal, fuel grade alcohol or alcohol-derivative substances. "Supplier" includes a permissive supplier unless specifically provided otherwise:
 - (52) "Tank wagon", a straight truck having multiple compartments designed or used to carry motor fuel;
 - (53) "Terminal", a bulk storage and distribution facility which includes:
 - (a) For the purposes of motor fuel, is a qualified terminal;
 - (b) For the purposes of fuel grade alcohol, is supplied by truck, rail car, boat, barge or pipeline and the products are removed at a rack;
 - (54) "Terminal bulk transfers" include but are not limited to the following:
 - (a) Boat or barge movement of motor fuel from a refinery or terminal to a terminal;
 - (b) Pipeline movements of motor fuel from a refinery or terminal to a terminal;
 - (c) Book transfers of product within a terminal between suppliers prior to completion of removal across the rack; and
 - (d) Two-party exchanges or buy-sell supply arrangements within a terminal between licensed suppliers;
 - (55) "Terminal operator", any person that owns, operates, or otherwise controls a terminal. A terminal operator may own the motor fuel that is transferred through or stored in the terminal;
 - (56) "Transmix", the buffer or interface between two different products in a pipeline shipment, or a mix of two different products within a refinery or terminal that results in an off-grade mixture;
 - (57) "Transport truck", a semitrailer combination rig designed or used to transport motor fuel over the highways;
 - (58) "Transporter", any operator of a pipeline, barge, railroad or transport truck engaged in the business of transporting motor fuels;
 - (59) "Two-party exchange", a transaction in which the motor fuel is transferred from one licensed supplier or licensed permissive supplier to another licensed supplier or licensed permissive supplier and:
 - (a) Which transaction includes a transfer from the person that holds the original inventory position for motor fuel in the terminal as reflected on the records of the terminal operator; and
 - (b) The exchange transaction is simultaneous with removal from the terminal by the receiving exchange partner. However, in any event, the terminal operator in its books and records treats the receiving exchange party as the supplier which removes the product across a terminal rack for purposes of reporting such events to this state;
 - (60) "Ultimate vendor", a person that sells motor fuel to the consumer;
 - (61) "Undyed diesel fuel", diesel fuel that is not subject to the United States Environmental Protection Agency dyeing requirements, or has not been dyed in accordance with Internal Revenue Service fuel dyeing provisions; and
 - (62) "Vehicle fuel tank", any receptacle on a motor vehicle from which fuel is supplied for the propulsion of the motor vehicle.

142.803. 1. A tax is levied and imposed on all motor fuel used or consumed in this state as follows:

- (1) Motor fuel, seventeen cents per gallon;
- (2) Alternative fuels, not subject to the decal fees as provided in section 142.869, with a power potential equivalent of motor fuel. In the event alternative fuel, which is not commonly sold or measured by the gallon, is used in motor vehicles on the highways of this state, the director is authorized to assess and collect a tax upon such alternative fuel measured by the nearest power potential equivalent to that of one gallon of regular grade gasoline. The determination by the director of the power potential equivalent of such alternative fuel shall be prima facie correct;

(3) Aviation fuel used in propelling aircraft with reciprocating engines, nine cents per gallon as levied and imposed by section 155.080 to be collected as required under this chapter;

(4) Compressed natural gas fuel, five cents per gasoline gallon equivalent until December 31, 2019, eleven cents per gasoline gallon equivalent from January 1, 2020, until December 31, 2024, and then seventeen cents per gasoline gallon equivalent thereafter. The gasoline gallon equivalent and method of sale for compressed natural gas shall be as published by the National Institute of Standards and Technology in Handbooks 44 and 130, and supplements thereto or revisions thereof. In the absence of such standard or agreement, the gasoline gallon equivalent and method of sale for compressed natural gas shall be equal to five and sixty-six-hundredths pounds of compressed natural gas. All applicable provisions contained in this chapter governing administration, collections, and enforcement of the state motor fuel tax shall apply to the tax imposed on compressed natural gas, including but not limited to licensing, reporting, penalties, and interest;

(5) Liquefied natural gas fuel, five cents per diesel gallon equivalent until December 31, 2019, eleven cents per diesel gallon equivalent from January 1, 2020, until December 31, 2024, and then seventeen cents per diesel gallon equivalent thereafter. The diesel gallon equivalent and method of sale for liquefied natural gas shall be as published by the National Institute of Standards and Technology in Handbooks 44 and 130, and supplements thereto or revisions thereof.

In the absence of such standard or agreement, the diesel gallon equivalent and method of sale for liquefied natural gas shall be equal to six and six-hundredths pounds of liquefied natural gas. All applicable provisions contained in this chapter governing administration, collections, and enforcement of the state motor fuel tax shall apply to the tax imposed on liquefied natural gas, including but not limited to licensing, reporting, penalties, and interest;

(6) Propane gas fuel, five cents per gallon until December 31, 2019, eleven cents per gallon from January 1, 2020, until December 31, 2024, and then seventeen cents per gallon thereafter. All applicable provisions contained in this chapter governing administration, collection, and enforcement of the state motor fuel tax shall apply to the tax imposed on propane gas including, but not limited to, licensing, reporting, penalties, and interest;

(7) If a natural gas, compressed natural gas, ~~or~~ liquefied natural gas, **electric, or propane** connection is used for fueling motor vehicles and for another use, such as heating, the tax imposed by this section shall apply to the entire amount of natural gas, compressed natural gas, ~~or~~ liquefied natural gas, **electricity, or propane** used unless an approved separate metering and accounting system is in place.

2. All taxes, surcharges and fees are imposed upon the ultimate consumer, but are to be precollected as described in this chapter, for the facility and convenience of the consumer. The levy and assessment on other persons as specified in this chapter shall be as agents of this state for the precollection of the tax.

142.869. 1. The tax imposed by this chapter shall not apply to passenger motor vehicles, buses as defined in section 301.010, or commercial motor vehicles registered in this state which are powered by alternative fuel, and for which a valid decal has been acquired as provided in this section, provided that sales made to alternative fueled vehicles powered by **propane**, compressed natural gas, or liquefied natural gas that do not meet the requirements of subsection 3 of this section shall be taxed exclusively pursuant to subdivisions (4) ~~and (5)~~ **to (7)** of subsection 1 of section 142.803, respectively. The owners or operators of such motor vehicles, **except plug-in electric hybrids**, shall, in lieu of the tax imposed by section 142.803, pay an annual alternative fuel decal fee as follows: seventy-five dollars on each passenger motor vehicle, school bus as defined in section 301.010, and commercial motor vehicle with a licensed gross vehicle weight of eighteen thousand pounds or less; one hundred dollars on each motor vehicle with a licensed gross weight in excess of eighteen thousand pounds but not more than thirty-six thousand pounds used for farm or farming transportation operations and registered with a license plate designated with the letter "F"; one hundred fifty dollars on each motor vehicle with a licensed gross vehicle weight in excess of eighteen thousand pounds but less than or equal to thirty-six thousand pounds, and each passenger-carrying motor vehicle subject to the registration fee provided in sections 301.059, 301.061 and 301.063; two hundred fifty dollars on each motor vehicle with a licensed gross weight in excess of thirty-six thousand pounds used for farm or farming transportation operations and registered with a license plate designated with the letter "F"; and one thousand dollars on each motor vehicle with a licensed gross vehicle weight in excess of thirty-six thousand pounds. **Owners or operators of plug-in electric hybrids shall pay one-half of the stated annual alternative fuel decal fee.** Notwithstanding provisions of this section to the contrary, motor vehicles licensed as historic under section 301.131 which are powered by alternative fuel shall be exempt from both the tax imposed by this chapter and the alternative fuel decal requirements of this section. **For the purposes of this section, a plug-in electric hybrid shall be any hybrid vehicle made by a**

manufacturer with a model year of 2018 or newer, that has not been modified from the original manufacturer specifications, with an internal combustion engine and batteries that can be recharged by connecting a plug to an electric power source.

2. Except interstate fuel users and vehicles licensed under a reciprocity agreement as defined in section 142.617, the tax imposed by section 142.803 shall not apply to motor vehicles registered outside this state which are powered by alternative fuel other than **propane**, compressed natural gas, and liquefied natural gas, and for which a valid temporary alternative fuel decal has been acquired as provided in this section. The owners or operators of such motor vehicles shall, in lieu of the tax imposed by section 142.803, pay a temporary alternative fuel decal fee of eight dollars on each such vehicle. Such decals shall be valid for a period of fifteen days from the date of issuance and shall be attached to the lower right-hand corner of the front windshield on the motor vehicle for which it was issued. Such decal and fee shall not be transferable. All proceeds from such decal fees shall be deposited as specified in section 142.345. Alternative fuel dealers selling such decals in accordance with rules and regulations prescribed by the director shall be allowed to retain fifty cents for each decal fee timely remitted to the director.

3. Owners or operators of passenger motor vehicles, buses as defined in section 301.010, or commercial motor vehicles registered in this state which are powered by compressed natural gas or liquefied natural gas who have installed a compressed natural gas fueling station or liquefied natural gas fueling station used solely to fuel the motor vehicles they own or operate as of December 31, 2015, may continue to apply for and use the alternative fuel decal in lieu of paying the tax imposed under subdivisions (4) and (5) of subsection 1 of section 142.803. Owners or operators of compressed natural gas fueling stations or liquefied natural gas fueling stations whose vehicles bear an alternative fuel decal shall be prohibited from selling or providing compressed natural gas or liquefied natural gas to any motor vehicle they do not own or operate. Owners or operators of motor vehicles powered by compressed natural gas or liquefied natural gas bearing an alternative fuel decal after January 1, 2016, that decline to renew the alternative fuel decals for such motor vehicles shall no longer be eligible to apply for and use alternative fuel decals under this subsection. Any compressed natural gas or liquefied natural gas obtained at any fueling station not owned by the owner or operator of the motor vehicle bearing an alternative fuel decal shall be subject to the tax under subdivisions (4) and (5) of subsection 1 of section 142.803.

4. An owner or operator of a motor vehicle powered by propane may continue to apply for and use the alternative fuel decal in lieu of paying the tax imposed under subdivision (6) of subsection 1 of section 142.803. If the appropriate motor fuel tax under subdivision (6) of subsection 1 of section 142.803 is collected at the time of fueling, an operator of a propane fueling station that uses quick-connect fueling nozzles may sell propane as a motor fuel without verifying the application of a valid Missouri alternative fuel decal. If an owner or operator of a motor vehicle powered by propane that bears an alternative fuel decal refuels at an unattended propane refueling station, such owner or operator shall not be eligible for a refund of the motor fuel tax paid at such refueling.

5. The director shall annually, on or before January thirty-first of each year, collect or cause to be collected from owners or operators of the motor vehicles specified in subsection 1 of this section the annual decal fee. Applications for such decals shall be supplied by the department of revenue. In the case of a motor vehicle which is not in operation by January thirty-first of any year, a decal may be purchased for a fractional period of such year, and the amount of the decal fee shall be reduced by one-twelfth for each complete month which shall have elapsed since the beginning of such year. **This subsection shall not apply to an owner or operator of a motor vehicle powered by propane who fuels such vehicle exclusively at unattended fueling stations that collect the motor fuel tax.**

~~5-~~ 6. Upon the payment of the fee required by subsection 1 of this section, the director shall issue a decal, which shall be valid for the current calendar year and shall be attached to the lower right-hand corner of the front windshield on the motor vehicle for which it was issued.

~~6-~~ 7. The decal fee paid pursuant to subsection 1 of this section for each motor vehicle shall be transferable upon a change of ownership of the motor vehicle and, if the LP gas or natural gas equipment is removed from a motor vehicle upon a change of ownership and is reinstalled in another motor vehicle, upon such reinstallation. Such transfers shall be accomplished in accordance with rules and regulations promulgated by the director.

~~7-~~ 8. It shall be unlawful for any person to operate a motor vehicle required to have an alternative fuel decal upon the highways of this state without a valid decal **unless the motor vehicle is exclusively fueled at propane, compressed natural gas, or liquefied natural gas fueling stations that collect the motor fuel tax.**

~~[8-]~~ **9.** No person shall cause to be put, or put, ~~[LP-gas]~~ **any alternative fuel** into the fuel supply receptacle or battery of a motor vehicle required to have an alternative fuel decal unless the motor vehicle **either** has a valid decal attached to it **or the appropriate motor fuel tax is collected at the time of such fueling.** ~~[Sales of fuel placed in the supply receptacle of a motor vehicle displaying such decal shall be recorded upon an invoice, which invoice shall include the decal number, the motor vehicle license number and the number of gallons placed in such supply receptacle.]~~

~~[9-]~~ **10.** Any person violating any provision of this section is guilty of an infraction and shall, upon conviction thereof, be fined five hundred dollars.

~~[10-]~~ **11.** Motor vehicles displaying a valid alternative fuel decal are exempt from the licensing and reporting requirements of this chapter.

304.120. 1. Municipalities, by ordinance, may establish reasonable speed regulations for"; and

Further amend said amendment, Page 2, Line 15, by inserting after all of said line the following:

"Further amend said bill, Page 2, Section 307.175, Line 23, by inserting after all of said section and line the following:

"Section 1. Notwithstanding any other provision of law, any political subdivision that imposes a local excise or sales tax enacted after January 1, 2017, under article IV, section 30(a) of the Constitution of Missouri shall use no less than ninety percent of such funds collected for the construction, reconstruction, maintenance, and repair of roads and streets and for the payment and interest on indebtedness incurred on account of road and street purposes, and no more than ten percent of such funds collected for policing, signing, lighting, and cleaning roads and streets."; and"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Kolkmeier, **House Amendment No. 2 to House Amendment No. 9** was adopted.

Representative Marshall offered **House Amendment No. 3 to House Amendment No. 9.**

House Amendment No. 3
to
House Amendment No. 9

AMEND House Amendment No. 9 to Senate Bill No. 8, Page 2, Line 15, by inserting after said line the following:

"Further amend said bill, Page 2, Section 307.175, Line 23, by inserting after all of said section and line the following:

"307.178. 1. As used in this section, the term "passenger car" means every motor vehicle designed for carrying ten persons or less and used for the transportation of persons; except that, the term "passenger car" shall not include motorcycles, motorized bicycles, motor tricycles, and trucks with a licensed gross weight of twelve thousand pounds or more. **The provisions of this section shall be uniform and in full effect in all political subdivisions of this state.**

2. Each driver, except persons employed by the United States Postal Service while performing duties for that federal agency which require the operator to service postal boxes from their vehicles, or which require frequent entry into and exit from their vehicles, and front seat passenger of a passenger car manufactured after January 1, 1968, operated on a street or highway in this state, and persons less than eighteen years of age operating or riding in a truck, as defined in section 301.010, on a street or highway of this state shall wear a properly adjusted and fastened safety belt that meets federal National Highway, Transportation and Safety Act requirements. No person shall be stopped, inspected, or detained solely to determine compliance with this subsection. The provisions of this section and section 307.179 shall not be applicable to persons who have a medical reason for failing to have a seat belt

fastened about their body, nor shall the provisions of this section be applicable to persons while operating or riding a motor vehicle being used in agricultural work-related activities. Noncompliance with this subsection shall not constitute probable cause for violation of any other provision of law. The provisions of this subsection shall not apply to the transporting of children under sixteen years of age, as provided in section 307.179.

3. Each driver of a motor vehicle transporting a child less than sixteen years of age shall secure the child in a properly adjusted and fastened restraint under section 307.179.

4. In any action to recover damages arising out of the ownership, common maintenance or operation of a motor vehicle, failure to wear a safety belt in violation of this section shall not be considered evidence of comparative negligence. Failure to wear a safety belt in violation of this section may be admitted to mitigate damages, but only under the following circumstances:

(1) Parties seeking to introduce evidence of the failure to wear a safety belt in violation of this section must first introduce expert evidence proving that a failure to wear a safety belt contributed to the injuries claimed by plaintiff;

(2) If the evidence supports such a finding, the trier of fact may find that the plaintiff's failure to wear a safety belt in violation of this section contributed to the plaintiff's claimed injuries, and may reduce the amount of the plaintiff's recovery by an amount not to exceed one percent of the damages awarded after any reductions for comparative negligence.

5. Except as otherwise provided for in section 307.179, each person who violates the provisions of subsection 2 of this section is guilty of an infraction for which a fine not to exceed ten dollars may be imposed. All other provisions of law and court rules to the contrary notwithstanding, no court costs shall be imposed on any person due to a violation of this section. In no case shall points be assessed against any person, pursuant to section 302.302, for a violation of this section.

6. The state highways and transportation commission shall initiate and develop a program of public information to develop understanding of, and ensure compliance with, the provisions of this section. The commission shall evaluate the effectiveness of this section and shall include a report of its findings in the annual evaluation report on its highway safety plan that it submits to NHTSA and FHWA pursuant to 23 U.S.C. 402.

7. If there are more persons than there are seat belts in the enclosed area of a motor vehicle, then the passengers who are unable to wear seat belts shall sit in the area behind the front seat of the motor vehicle unless the motor vehicle is designed only for a front-seated area. The passenger or passengers occupying a seat location referred to in this subsection is not in violation of this section. This subsection shall not apply to passengers who are accompanying a driver of a motor vehicle who is licensed under section 302.178."; and

Further amend said bill and page, Section B, Lines 2 and 4, by inserting immediately after the word "section" the words "307.175 of section"; and"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Marshall, **House Amendment No. 3 to House Amendment No. 9** was adopted.

On motion of Representative Redmon, **House Amendment No. 9, as amended**, was adopted.

On motion of Representative Rhoads, the title of **SB 8, as amended**, relating to transportation, was agreed to.

On motion of Representative Rhoads, **SB 8, as amended**, was read the third time and passed by the following vote:

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AYES: 088

Alferman	Anders	Andrews	Austin	Basye
Beard	Bernskoetter	Black	Bondon	Brattin
Brown 57	Carpenter	Christofanelli	Cierpiot	Conway 104
Corlew	Cornejo	Crawford	Cross	Davis
DeGroot	Dogan	Dohrman	Eggleston	Ellebracht
Engler	Evans	Fitzpatrick	Fitzwater 144	Fitzwater 49
Fraker	Francis	Franklin	Gannon	Grier
Haahr	Haefner	Hannegan	Hansen	Harris
Helms	Henderson	Higdon	Hill	Houghton
Johnson	Justus	Kelley 127	Kelly 141	Kolkmeier
Korman	Lant	Lauer	Lichtenegger	Love
Lynch	Mathews	Matthiesen	McCaherty	McGaugh
Miller	Muntzel	Pfautsch	Phillips	Pike
Razer	Redmon	Reiboldt	Reisch	Rhoads
Roden	Roeber	Ross	Rowland 155	Ruth
Schroer	Shaul 113	Shull 16	Smith 163	Sommer
Stephens 128	Tate	Trent	Vescovo	Walker 3
Wiemann	Wilson	Mr. Speaker		

NOES: 065

Adams	Anderson	Arthur	Bahr	Bangert
Baringer	Barnes 28	Beck	Berry	Brown 27
Brown 94	Burnett	Burns	Butler	Chipman
Conway 10	Curtis	Curtman	Dunn	Ellington
Franks Jr	Frederick	Gray	Green	Gregory
Hubrecht	Hurst	Kendrick	Kidd	Lavender
Marshall	May	McCann Beatty	McCreery	McDaniel
McGee	Meredith 71	Merideth 80	Messenger	Mitten
Moon	Morgan	Morris	Mosley	Newman
Nichols	Peters	Pierson Jr	Pogue	Quade
Remole	Rowland 29	Runions	Shumake	Smith 85
Spencer	Stacy	Stevens 46	Swan	Taylor
Unsicker	Walker 74	Wessels	White	Wood

PRESENT: 001

Barnes 60

ABSENT WITH LEAVE: 008

Cookson	Houx	Neely	Pietzman	Plocher
Rehder	Roberts	Rone		

VACANCIES: 001

Speaker Richardson declared the bill passed.

The emergency clause was defeated by the following vote:

AYES: 078

Anderson	Andrews	Austin	Bahr	Baringer
Basye	Beard	Bernskoetter	Black	Bondon
Brown 57	Carpenter	Chipman	Christofanelli	Cierpiot
Conway 104	Cookson	Cornejo	Crawford	Cross

Davis	DeGroot	Dogan	Dohrman	Eggleston
Ellebracht	Fitzwater 144	Fitzwater 49	Fraker	Haefner
Hansen	Hill	Houghton	Houx	Hubrecht
Johnson	Kelley 127	Kelly 141	Kendrick	Korman
Lant	Lauer	Lichtenegger	Love	Lynch
Mathews	McCaherty	McGaugh	Miller	Muntzel
Peters	Phillips	Pike	Razer	Redmon
Reiboldt	Reisch	Remole	Rhoads	Roden
Ross	Rowland 155	Ruth	Schroer	Shaul 113
Shull 16	Shumake	Smith 85	Sommer	Tate
Taylor	Trent	Unsicker	Vescovo	Walker 3
Wessels	Wiemann	Mr. Speaker		

NOES: 073

Adams	Alferman	Anders	Arthur	Bangert
Barnes 28	Beck	Berry	Brattin	Brown 27
Brown 94	Burnett	Burns	Butler	Conway 10
Corlew	Curtman	Dunn	Ellington	Engler
Evans	Fitzpatrick	Francis	Franks Jr	Frederick
Gannon	Gray	Green	Gregory	Haahr
Hannegan	Harris	Helms	Henderson	Higdon
Hurst	Justus	Kidd	Lavender	Marshall
Matthiesen	May	McCann Beatty	McCreery	McDaniel
McGee	Meredith 71	Merideth 80	Messenger	Moon
Morgan	Morris	Mosley	Newman	Nichols
Pfautsch	Pierson Jr	Plocher	Pogue	Quade
Roeber	Rowland 29	Runions	Smith 163	Spencer
Stacy	Stephens 128	Stevens 46	Swan	Walker 74
White	Wilson	Wood		

PRESENT: 000

ABSENT WITH LEAVE: 011

Barnes 60	Curtis	Franklin	Grier	Kolkmeyer
Mitten	Neely	Pietzman	Rehder	Roberts
Rone				

VACANCIES: 001

On motion of Representative Cierpiot, the House recessed until 3:00 p.m.

AFTERNOON SESSION

The hour of recess having expired, the House was called to order by Speaker Richardson.

THIRD READING OF SENATE BILLS

SB 64, relating to designation of a memorial bridge, was taken up by Representative Alferman.

Representative Rhoads offered **House Amendment No. 1**.

House Amendment No. 1

AMEND Senate Bill No. 64, Page 1, Section 227.533, Line 5, by inserting after all of said section and line the following:

"Section 1. The bridge on State Highway 99 crossing over Eleven Point River in Thomasville in Oregon County shall be designated as the "Roger "Dusty" Shaw Memorial Bridge". The department of transportation shall erect and maintain signs designating such bridge, with the cost of such designation to be paid for by private donations."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Rhoads, **House Amendment No. 1** was adopted.

Representative Cookson offered **House Amendment No. 2.**

House Amendment No. 2

AMEND Senate Bill No. 64, Page 1, Section A, Line 2, by inserting after all of said section and line the following:

"227.448. The portion of Business 25 from Taylor Street continuing north to Douglas Street through the city of Malden in Dunklin County shall be designated the "Narvel Felts Highway". The department of transportation shall erect and maintain appropriate signs designating such highway, with the costs to be paid by private donations."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Cookson, **House Amendment No. 2** was adopted.

Representative Reiboldt offered **House Amendment No. 3.**

House Amendment No. 3

AMEND Senate Bill No. 64, Page 1, Section A, Line 2, by inserting after all of said section and line the following:

"227.447. The portion of Interstate Highway 55 from its interchange with U.S. Highway 61 at exit 170 continuing north to its interchange with U.S. Highway 67 at exit 174B in Jefferson County shall be designated the "USMA Cadet Thomas M. Surdyke Memorial Highway". The department of transportation shall erect and maintain appropriate signs designating such highway with the costs to be paid by private donations.

227.448. The portion of Business 25 from Taylor Street continuing north to Douglas Street through the city of Malden in Dunklin County shall be designated the "Narvel Felts Highway". The department of transportation shall erect and maintain appropriate signs designating such highway, with the costs to be paid by private donations.

227.449. The portion of State Highway 163 from the interchange with Interstate 70 continuing south to Loop 70 in Boone County shall be designated as "Sherman Brown Jr. Memorial Highway". The department of transportation shall erect and maintain appropriate signs designating such highway with the costs to be paid by private donations.

227.532. The portion of Missouri 249 from State Highway VV continuing north to Missouri 171 in Jasper County shall be designated as the "Edward F Dixon The Third Memorial Highway". The department of transportation shall erect and maintain appropriate signs designating such highway, with the costs of such designation to be paid for by private donation."; and

Further amend said bill, Page 1, Section 227.533, Line 5, by inserting after all of said section and line the following:

"227.535. The portion of State Highway 231 from the interchange with Interstate 255 north to River City Casino Boulevard in St. Louis City shall be designated the "Veterans - Heroes Highway". The department of transportation shall erect and maintain appropriate signs designating such highway, with costs to be paid for by private donations."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Reiboldt, **House Amendment No. 3** was adopted.

Representative Ross offered **House Amendment No. 4**.

House Amendment No. 4

AMEND Senate Bill No. 64, Page 1, Section 227.533, Line 5, by inserting immediately after all of said section and line the following:

"306.126. 1. The operator of a motorboat shall not allow any person to ride or sit on the gunwales, decking over the bow, railing, top of seat back or decking over the back of the motorboat while under way, unless such person is inboard of adequate guards or railing provided on the motorboat to prevent a passenger from being lost overboard. As used in this section, the term "adequate guards or railing" means guards or railings having a height parameter of at least six inches but not more than eighteen inches. Nothing in this section shall be construed to mean that passengers or other persons aboard a motorboat cannot occupy the decking over the bow of the boat to moor it to a mooring buoy or to cast off from such a buoy, or for any other necessary purpose. The provisions of this section shall not apply to vessels propelled by sail, **outboard jet motors, or vessels not originally manufactured with adequate guards or railing.**

2. Whenever any person leaves any watercraft, other than a personal watercraft, on the waters of the Mississippi River, the waters of the Missouri River or the lakes of this state and enters the water between the hours of 11:00 a.m. and sunset, the operator of such watercraft shall display on the watercraft a red or orange flag measuring not less than twelve inches by twelve inches. The provisions of this subsection shall not apply to watercraft that is moored or anchored. The flag required by this subsection shall be visible for three hundred sixty degrees around the horizon when displayed and shall be displayed only when an occupant of the watercraft has left the confines of the watercraft and entered the water. The flag required by this subsection shall not be displayed when the watercraft is engaged in towing any person, but shall be displayed when such person has ceased being towed and has reentered the water.

3. No operator shall knowingly operate any watercraft within fifty yards of a flag required by subsection 2 of this section at a speed in excess of a slow-no wake speed."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

House Amendment No. 4 was withdrawn.

On motion of Representative Alferman, the title of **SB 64, as amended**, was agreed to.

On motion of Representative Alferman, **SB 64, as amended**, was read the third time and passed by the following vote:

AYES: 146

Adams	Alferman	Anders	Anderson	Andrews
Arthur	Austin	Bahr	Bangert	Baringer
Barnes 60	Barnes 28	Basye	Beard	Beck
Bernskoetter	Berry	Black	Bondon	Brattin
Brown 27	Brown 57	Brown 94	Burnett	Burns
Butler	Carpenter	Chipman	Christofanelli	Cierpiot
Conway 10	Conway 104	Cookson	Corlew	Cornejo
Crawford	Cross	Curtman	Davis	DeGroot
Dogan	Dohrman	Dunn	Eggleston	Ellebracht
Engler	Fitzpatrick	Fitzwater 144	Fitzwater 49	Francis
Franklin	Franks Jr	Frederick	Gannon	Gray
Green	Gregory	Grier	Haefner	Hannegan
Hansen	Harris	Helms	Henderson	Higdon
Hill	Houghton	Houx	Hubrecht	Hurst
Johnson	Justus	Kelley 127	Kelly 141	Kendrick
Kidd	Kolkmeier	Korman	Lant	Lavender
Lichtenegger	Love	Lynch	Marshall	Mathews
Matthiesen	May	McCaherty	McCann Beatty	McCreery
McGaugh	Meredith 71	Merideth 80	Messenger	Miller
Morgan	Morris	Mosley	Muntzel	Newman
Nichols	Peters	Pfautsch	Phillips	Pierson Jr
Pike	Plocher	Quade	Razer	Redmon
Rehder	Reisch	Remole	Rhoads	Roberts
Roden	Roeber	Ross	Rowland 155	Runions
Ruth	Schroer	Shaul 113	Shull 16	Shumake
Smith 85	Smith 163	Sommer	Spencer	Stacy
Stephens 128	Stevens 46	Swan	Tate	Taylor
Trent	Unsicker	Vescovo	Walker 3	Walker 74
Wessels	White	Wiemann	Wilson	Wood
Mr. Speaker				

NOES: 003

Ellington	McDaniel	Moon
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PRESENT: 003

Curtis	Mitten	Pogue
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ABSENT WITH LEAVE: 010

Evans	Fraker	Haahr	Lauer	McGee
Neely	Pietzman	Reiboldt	Rone	Rowland 29

VACANCIES: 001

Speaker Richardson declared the bill passed.

Representative Engler assumed the Chair.

THIRD READING OF HOUSE CONCURRENT RESOLUTIONS

HCR 7, relating to Falun Gong, was taken up by Representative Morris.

Representative Morris offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Concurrent Resolution No. 7, Page 3, Lines 87-88, by deleting said lines and inserting in lieu thereof the following:

"(4) Encourage the medical community of Missouri to engage in educating colleagues and residents of Missouri about the risks of travel to China for organ transplants so as to help prevent Missouri citizens from unwittingly becoming involved in murder in the form of forced organ harvesting from prisoners of conscience; and"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Morris, **House Amendment No. 1** was adopted.

On motion of Representative Morris, **HCR 7, as amended**, was read the third time and passed by the following vote:

AYES: 149

Adams	Alferman	Anders	Anderson	Andrews
Arthur	Austin	Bahr	Bangert	Baringer
Barnes 60	Barnes 28	Basye	Beard	Beck
Bernskoetter	Berry	Black	Bondon	Brattin
Brown 27	Brown 57	Brown 94	Burnett	Burns
Butler	Carpenter	Chipman	Christofanelli	Cierpiot
Conway 10	Cookson	Corlew	Cornejo	Crawford
Cross	Curtis	Curtman	Davis	DeGroot
Dogan	Dohrman	Dunn	Eggleston	Ellebracht
Ellington	Engler	Fitzpatrick	Fitzwater 144	Fitzwater 49
Fraker	Francis	Franklin	Franks Jr	Frederick
Gannon	Gray	Green	Grier	Haefner
Hannegan	Hansen	Harris	Helms	Higdon
Hill	Houghton	Houx	Hubrecht	Hurst
Johnson	Justus	Kelley 127	Kelly 141	Kendrick
Kidd	Kolkmeier	Korman	Lant	Lauer
Lavender	Lichtenegger	Love	Lynch	Marshall
Mathews	Matthiesen	May	McCaherty	McCann Beatty
McCreery	McGaugh	McGee	Meredith 71	Merideth 80
Messenger	Miller	Mitten	Moon	Morgan
Morris	Mosley	Muntzel	Newman	Nichols
Peters	Pfautsch	Phillips	Pierson Jr	Pike
Plocher	Pogue	Quade	Razer	Redmon
Rehder	Reiboldt	Reisch	Remole	Rhoads
Roberts	Roden	Roeber	Rone	Ross
Rowland 155	Runions	Ruth	Schroer	Shaul 113
Shull 16	Shumake	Smith 85	Sommer	Stacy
Stephens 128	Stevens 46	Swan	Tate	Taylor
Trent	Unsicker	Vescovo	Walker 3	Wessels
White	Wiemann	Wilson	Mr. Speaker	

NOES: 001

McDaniel

PRESENT: 000

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ABSENT WITH LEAVE: 012

Conway 104	Evans	Gregory	Haahr	Henderson
Neely	Pietzman	Rowland 29	Smith 163	Spencer
Walker 74	Wood			

VACANCIES: 001

Representative Engler declared the bill passed.

HCR 17, relating to meningococcal disease, was taken up by Representative Hubrecht.

On motion of Representative Hubrecht, **HCR 17** was read the third time and passed by the following vote:

AYES: 144

Adams	Alferman	Anders	Anderson	Andrews
Arthur	Austin	Bahr	Bangert	Baringer
Barnes 60	Barnes 28	Basye	Beard	Beck
Bernskoetter	Berry	Black	Bondon	Brattin
Brown 27	Brown 57	Burnett	Burns	Butler
Carpenter	Chipman	Christofanelli	Conway 10	Conway 104
Cookson	Corlew	Cornejo	Crawford	Cross
Curtis	Curtman	Davis	DeGroot	Dohrman
Dunn	Eggleston	Ellebracht	Ellington	Engler
Fitzpatrick	Fitzwater 144	Fitzwater 49	Fraker	Francis
Franklin	Frederick	Gray	Green	Gregory
Grier	Haefner	Hannegan	Hansen	Harris
Helms	Henderson	Higdon	Hill	Houghton
Houx	Hubrecht	Hurst	Johnson	Justus
Kelly 141	Kendrick	Kidd	Kolkmeier	Korman
Lant	Lauer	Lavender	Lichtenegger	Love
Lynch	Mathews	Matthiesen	May	McCaherty
McCann Beatty	McCreery	McGaugh	McGee	Meredith 71
Merideth 80	Messenger	Miller	Mitten	Moon
Morgan	Morris	Mosley	Muntzel	Nichols
Peters	Pfautsch	Phillips	Pierson Jr	Pike
Quade	Razer	Redmon	Rehder	Reiboldt
Reisch	Remole	Rhoads	Roberts	Roden
Roeber	Rone	Ross	Rowland 155	Runions
Ruth	Schroer	Shaul 113	Shull 16	Shumake
Smith 85	Smith 163	Sommer	Stacy	Stephens 128
Stevens 46	Swan	Tate	Taylor	Trent
Unsicker	Vescovo	Walker 3	Walker 74	Wessels
White	Wiemann	Wilson	Mr. Speaker	

NOES: 003

Marshall	McDaniel	Pogue
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PRESENT: 000

ABSENT WITH LEAVE: 015

Brown 94	Cierpiot	Dogan	Evans	Franks Jr
Gannon	Haahr	Kelley 127	Neely	Newman
Pietzman	Plocher	Rowland 29	Spencer	Wood

VACANCIES: 001

Representative Engler declared the bill passed.

THIRD READING OF HOUSE BILLS

HCS HB 608, relating to residential dwellings offered for rent to transient guests, was taken up by Representative Anderson.

Representative Anderson offered **House Perfecting Amendment No. 1**.

House Perfecting Amendment No. 1

AMEND House Committee Substitute for House Bill No. 608, Page 3, Section 67.5110, Line 68, by inserting immediately after the word "**tax**" in the first instance the word "**is**"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Anderson, **House Perfecting Amendment No. 1** was adopted.

HCS HB 608, as amended, was laid over.

HB 824, relating to transportation safety, was taken up by Representative Reiboldt.

On motion of Representative Reiboldt, **HB 824** was read the third time and passed by the following vote:

AYES: 143

Adams	Anders	Anderson	Andrews	Arthur
Austin	Bahr	Bangert	Baringer	Barnes 60
Barnes 28	Basye	Beard	Beck	Bernskoetter
Berry	Bondon	Brattin	Brown 27	Brown 57
Brown 94	Burnett	Burns	Butler	Carpenter
Chipman	Christofanelli	Cierpiot	Conway 10	Conway 104
Cookson	Cornejo	Crawford	Cross	Curtman
Davis	DeGroot	Dogan	Dohrman	Dunn
Eggleston	Ellebracht	Ellington	Engler	Evans
Fitzpatrick	Fitzwater 144	Fitzwater 49	Fraker	Francis
Franklin	Franks Jr	Frederick	Gannon	Gray
Green	Gregory	Grier	Haahr	Haefner
Hannegan	Hansen	Harris	Helms	Higdon
Hill	Houghton	Houx	Hubrecht	Hurst
Johnson	Justus	Kelley 127	Kelly 141	Kendrick

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Kidd	Korman	Lant	Lauer	Lavender
Lichtenegger	Love	Lynch	Marshall	Mathews
Matthiesen	May	McCaherty	McCann Beatty	McCreery
McGaugh	Meredith 71	Merideth 80	Messenger	Miller
Morgan	Morris	Mosley	Muntzel	Newman
Nichols	Peters	Pfautsch	Pierson Jr	Pike
Quade	Razer	Redmon	Rehder	Reiboldt
Remole	Roberts	Roden	Roeber	Rone
Ross	Rowland 155	Runions	Ruth	Schroer
Shaul 113	Shull 16	Shumake	Smith 85	Smith 163
Sommer	Spencer	Stacy	Stephens 128	Stevens 46
Swan	Tate	Taylor	Trent	Unsicker
Vescovo	Walker 3	Walker 74	Wessels	White
Wiemann	Wilson	Mr. Speaker		

NOES: 004

McDaniel	Mitten	Moon	Pogue
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PRESENT: 000

ABSENT WITH LEAVE: 015

Alferman	Black	Corlew	Curtis	Henderson
Kolkmeier	McGee	Neely	Phillips	Pietzman
Plocher	Reisch	Rhoads	Rowland 29	Wood

VACANCIES: 001

Representative Engler declared the bill passed.

HCS HB 384, relating to confiscation of animals, was taken up by Representative Anderson.

On motion of Representative Anderson, **HCS HB 384** was read the third time and passed by the following vote:

AYES: 111

Anderson	Andrews	Austin	Bahr	Barnes 60
Basye	Beard	Bernskoetter	Berry	Black
Bondon	Brattin	Brown 57	Brown 94	Chipman
Christofanelli	Cierpiot	Conway 104	Corlew	Cornejo
Crawford	Cross	Curtman	Davis	DeGroot
Dogan	Dohrman	Eggleston	Ellebracht	Engler
Fitzpatrick	Fitzwater 144	Fitzwater 49	Fraker	Francis
Franklin	Frederick	Gannon	Grier	Haahr
Haefner	Hannegan	Hansen	Harris	Helms
Henderson	Higdon	Hill	Houghton	Houx
Hubrecht	Hurst	Johnson	Justus	Kelley 127
Kelly 141	Kidd	Kolkmeier	Korman	Lant
Lauer	Lichtenegger	Love	Lynch	Marshall
Mathews	Matthiesen	McDaniel	McGaugh	McGee
Messenger	Miller	Moon	Morris	Muntzel
Pfautsch	Pietzman	Pike	Pogue	Razer
Redmon	Reiboldt	Reisch	Remole	Rhoads

Roden	Roeber	Rone	Ross	Rowland 155
Ruth	Schroer	Shaul 113	Shull 16	Shumake
Smith 163	Sommer	Spencer	Stacy	Stephens 128
Swan	Tate	Taylor	Trent	Vescovo
Walker 3	White	Wiemann	Wilson	Wood
Mr. Speaker				

NOES: 042

Adams	Anders	Arthur	Bangert	Baringer
Barnes 28	Beck	Brown 27	Burnett	Burns
Butler	Carpenter	Conway 10	Dunn	Ellington
Evans	Franks Jr	Gray	Green	Kendrick
Lavender	May	McCaherty	McCann Beatty	McCreery
Meredith 71	Merideth 80	Mitten	Morgan	Mosley
Newman	Nichols	Peters	Pierson Jr	Quade
Roberts	Runions	Smith 85	Stevens 46	Unsicker
Walker 74	Wessels			

PRESENT: 000

ABSENT WITH LEAVE: 009

Alferman	Cookson	Curtis	Gregory	Neely
Phillips	Plocher	Rehder	Rowland 29	

VACANCIES: 001

Representative Engler declared the bill passed.

Speaker Richardson resumed the Chair.

HCS HB 886, relating to retirement of higher education employees, was taken up by Representative Black.

On motion of Representative Black, **HCS HB 886** was read the third time and passed by the following vote:

AYES: 138

Adams	Anders	Anderson	Andrews	Arthur
Austin	Bahr	Bangert	Baringer	Basye
Beard	Beck	Bernskoetter	Berry	Black
Bondon	Brattin	Brown 27	Brown 57	Brown 94
Burnett	Burns	Butler	Carpenter	Christofanelli
Cierpiot	Conway 10	Conway 104	Corlew	Cornejo
Crawford	Cross	Davis	DeGroot	Dogan
Dohrman	Dunn	Engler	Evans	Fitzpatrick
Fitzwater 144	Fitzwater 49	Fraker	Francis	Franklin
Franks Jr	Frederick	Gannon	Gray	Green
Gregory	Haahr	Haefner	Hannegan	Hansen
Helms	Higdon	Hill	Houghton	Houx
Hubrecht	Johnson	Justus	Kelley 127	Kelly 141
Kendrick	Kolkmeier	Lauer	Lavender	Lichtenegger

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Love	Lynch	Marshall	Mathews	Matthiesen
May	McCaherty	McCann Beatty	McCreery	McGaugh
McGee	Meredith 71	Merideth 80	Messenger	Miller
Mitten	Morgan	Morris	Mosley	Muntzel
Newman	Nichols	Peters	Pfautsch	Pierson Jr
Pietzman	Pike	Plocher	Quade	Razer
Redmon	Reiboldt	Reisch	Remole	Rhoads
Roberts	Roden	Roeber	Rone	Ross
Rowland 155	Runions	Ruth	Schroer	Shaul 113
Shull 16	Shumake	Smith 85	Smith 163	Sommer
Spencer	Stacy	Stephens 128	Stevens 46	Swan
Tate	Taylor	Trent	Unsicker	Vescovo
Walker 3	Walker 74	Wessels	White	Wiemann
Wilson	Wood	Mr. Speaker		

NOES: 010

Chipman	Curtis	Curtman	Eggleston	Ellington
Hurst	Kidd	McDaniel	Moon	Pogue

PRESENT: 000

ABSENT WITH LEAVE: 014

Alferman	Barnes 60	Barnes 28	Cookson	Ellebracht
Grier	Harris	Henderson	Korman	Lant
Neely	Phillips	Rehder	Rowland 29	

VACANCIES: 001

Speaker Richardson declared the bill passed.

PERFECTION OF HOUSE COMMITTEE BILLS

HCB 7, relating to legal expenses of state agencies, was taken up by Representative Fitzwater (144).

Representative McCann Beatty offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Bill No. 7, Page 1, Section 105.713, Line 2, by deleting all of said line and inserting in lieu thereof the following:

"calendar month thereafter, the attorney general and the commissioner of administration shall submit a report to the general assembly and to the director of the"; and

Further amend said bill, page and section, Lines 8-11, by deleting all of said lines and inserting in lieu thereof the following:

"committee detailing the last twelve months of activity concerning the state legal expense fund, including:

(1) Each individual payment from such fund, delineated by payee, which shall include the case name and number of any settlement payments from such fund;

- (2) Each individual deposit to such fund, including:
- (a) The transferring state fund's name and section number authorizing the transfer of such funds;
- and
- (b) The case name and case number that correspond to any expenses authorized under section 105.711 for which the deposit is being made; and
- (3) The total amount of expenses from such fund's creation for each case included in the report.
2. In cases concerning the legal expenses incurred by the department of transportation, department of conservation, or a public institution that awards baccalaureate degrees, the report required under subsection 1 of this section shall be submitted by the legal counsel provided by the respective entity and by the designated keeper of accounts of the respective entity.
3. The director of the department of corrections shall meet with the house"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative McCann Beatty, **House Amendment No. 1** was adopted.

On motion of Representative Fitzwater (144), the title of **HCB 7, as amended**, was agreed to.

On motion of Representative Fitzwater (144), **HCB 7, as amended**, was ordered perfected and printed.

HCB 1, relating to judicial proceedings, was taken up by Representative McGaugh.

Representative McGaugh offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Bill No. 1, Page 2, Section 29.225, Lines 1-6, by deleting all of said section and lines from the bill; and

Further amend said bill and page, Section 105.478, Lines 1-9, by deleting all of said section and lines from the bill; and

Further amend said bill, Pages 65-66, Section 576.040, Lines 1-30, by deleting all of said section and lines from the bill; and

Further amend said bill, Page 66, Section 576.041, Lines 1-16, by deleting all of said section and lines from the bill; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative McGaugh, **House Amendment No. 1** was adopted.

Representative Mitten offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Committee Bill No. 1, Page 52, Section 514.040, Line 22, by inserting after the word "fees" the following:

"as provided by this subsection"; and

Further amend said bill and section, Page 53, Line 26, by inserting after the word "court." the following:

"In the event an action involving the appointment of a guardian ad litem goes to trial, an updated certification shall be filed prior to the trial commencing. The waiver of guardian ad litem fees for a party who has filed a certification may be reviewed by the court at the conclusion of the action upon the motion of any party requesting the court to apportion guardian ad litem fees.

4. Any party may present additional evidence on the financial condition of the parties. Based upon that evidence, if the court finds the certifying party has the present ability to pay, the court may enter judgment ordering the certifying party to pay a portion of the guardian ad litem fees.

5. Any failure to pay guardian ad litem fees shall not preclude a certifying party from filing future suits, including motions to modify, and shall not be used as a basis to limit the certifying party's prosecution or defense of the action."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Mitten, **House Amendment No. 2** was adopted.

Representative Smith (85) offered **House Amendment No. 3.**

House Amendment No. 3

AMEND House Committee Bill No. 1, Page 68, Section 595.219, Line 33, by inserting immediately after said section and line the following:

"650.058. 1. Notwithstanding the sovereign immunity of the state, any individual who was found guilty of a felony in a Missouri court and was later determined to be actually innocent of such crime solely as a result of DNA profiling analysis may be paid restitution. The individual may receive an amount of ~~[fifty]~~ **one hundred twenty-eight** dollars per day for each day of postconviction incarceration for the crime for which the individual is determined to be actually innocent. The petition for the payment of said restitution shall be filed with the sentencing court. For the purposes of this section, the term "actually innocent" shall mean:

(1) The individual was convicted of a felony for which a final order of release was entered by the court;

(2) All appeals of the order of release have been exhausted;

(3) The individual was not serving any term of a sentence for any other crime concurrently with the sentence for which he or she is determined to be actually innocent, unless such individual was serving another concurrent sentence because his or her parole was revoked by a court or the board of probation and parole in connection with the crime for which the person has been exonerated. Regardless of whether any other basis may exist for the revocation of the person's probation or parole at the time of conviction for the crime for which the person is later determined to be actually innocent, when the court's or the board of probation and parole's sole stated reason for the revocation in its order is the conviction for the crime for which the person is later determined to be actually innocent, such order shall, for purposes of this section only, be conclusive evidence that their probation or parole was revoked in connection with the crime for which the person has been exonerated; and

(4) Testing ordered under section 547.035, or testing by the order of any state or federal court, if such person was exonerated on or before August 28, 2004, or testing ordered under section 650.055, if such person was or is exonerated after August 28, 2004, demonstrates a person's innocence of the crime for which the person is in custody.

Any individual who receives restitution under this section shall be prohibited from seeking any civil redress from the state, its departments and agencies, or any employee thereof, or any political subdivision or its employees. This section shall not be construed as a waiver of sovereign immunity for any purposes other than the restitution provided for herein. The department of corrections shall determine the aggregate amount of restitution owed during a fiscal year. If insufficient moneys are appropriated each fiscal year to pay restitution to such persons, the department shall pay each individual who has received an order awarding restitution a pro rata share of the amount appropriated.

Provided sufficient moneys are appropriated to the department, the amounts owed to such individual shall be paid on June thirtieth of each subsequent fiscal year, until such time as the restitution to the individual has been paid in full. However, no individual awarded restitution under this subsection shall receive more than thirty-six thousand five hundred dollars during each fiscal year. No interest on unpaid restitution shall be awarded to the individual. No individual who has been determined by the court to be actually innocent shall be responsible for the costs of care under section 217.831.

2. If the results of the DNA testing confirm the person's guilt, then the person filing for DNA testing under section 547.035, shall:

(1) Be liable for any reasonable costs incurred when conducting the DNA test, including but not limited to the cost of the test. Such costs shall be determined by the court and shall be included in the findings of fact and conclusions of law made by the court; and

(2) Be sanctioned under the provisions of section 217.262.

3. A petition for payment of restitution under this section may only be filed by the individual determined to be actually innocent or the individual's legal guardian. No claim or petition for restitution under this section may be filed by the individual's heirs or assigns. An individual's right to receive restitution under this section is not assignable or otherwise transferrable. The state's obligation to pay restitution under this section shall cease upon the individual's death. Any beneficiary designation that purports to bequeath, assign, or otherwise convey the right to receive such restitution shall be void and unenforceable.

4. An individual who is determined to be actually innocent of a crime under this chapter shall automatically be granted an order of expungement from the court in which he or she pled guilty or was sentenced to expunge from all official records all recordations of his or her arrest, plea, trial or conviction. Upon granting of the order of expungement, the records and files maintained in any administrative or court proceeding in an associate or circuit division of the court shall be confidential and only available to the parties or by order of the court for good cause shown. The effect of such order shall be to restore such person to the status he or she occupied prior to such arrest, plea or conviction and as if such event had never taken place. No person as to whom such order has been entered shall be held thereafter under any provision of any law to be guilty of perjury or otherwise giving a false statement by reason of his or her failure to recite or acknowledge such arrest, plea, trial, conviction or expungement in response to any inquiry made of him or her for any purpose whatsoever and no such inquiry shall be made for information relating to an expungement under this section."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Ellington raised a point of order that a member was in violation of Rule 85.

The Chair ruled the point of order not well taken.

Representative Fitzpatrick assumed the Chair.

Speaker Richardson resumed the Chair.

Representative Corlew offered **House Amendment No. 1 to House Amendment No. 3.**

House Amendment No. 1
to
House Amendment No. 3

AMEND House Amendment No. 3 to House Committee Bill No. 1, Page 1, Line 7, by deleting all of said line and inserting in lieu thereof the following:

"receive an amount of ~~[fifty]~~ **eighty nine** dollars per day **adjusted annually based on changes in the consumer price index for all urban consumers for the United States as reported by Bureau of Labor Statistics, or its successor index**, for each day of postconviction"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Corlew, **House Amendment No. 1 to House Amendment No. 3** was adopted.

On motion of Representative Smith (85), **House Amendment No. 3, as amended**, was adopted.

Representative Walker (74) offered **House Amendment No. 4**.

House Amendment No. 4

AMEND House Committee Bill No. 1, Page 46, Section 475.084, Line 75, by inserting immediately after all of said section and line the following:

"478.004. 1. As used in this section, "medication-assisted treatment" means the use of pharmacological medications, in combination with counseling and behavioral therapies, to provide a whole patient approach to the treatment of substance use disorders.

2. If a drug court or veterans court participant requires treatment for opioid or other substance misuse or dependence, a drug court or veterans court shall not prohibit such participant from participating in and receiving medication-assisted treatment under the care of a physician licensed in this state to practice medicine. A drug court or veterans court participant shall not be required to refrain from using medication-assisted treatment as a term or condition of successful completion of the drug court program.

3. A drug court or veterans court participant assigned to a treatment program for opioid or other substance misuse or dependence shall not be in violation of the terms or conditions of the drug court or veterans court on the basis of his or her participation in medication-assisted treatment under the care of a physician licensed in this state to practice medicine."; and

Further amend said bill and page, Section 478.463, Line 7, by inserting immediately after all of said section and line the following:

"487.200. 1. As used in this section, "medication-assisted treatment" means the use of pharmacological medications, in combination with counseling and behavioral therapies, to provide a whole patient approach to the treatment of substance use disorders.

2. If a family court participant requires treatment for opioid or other substance misuse or dependence, a family court shall not prohibit such participant from participating in and receiving medication-assisted treatment under the care of a physician licensed in this state to practice medicine. A family court participant shall not be required to refrain from using medication-assisted treatment as a term or condition of successful completion of the family court program.

3. A family court participant assigned to a treatment program for opioid or other substance misuse or dependence shall not be in violation of the terms or conditions of the family court on the basis of his or her participation in medication-assisted treatment under the care of a physician licensed in this state to practice medicine."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Walker (74), **House Amendment No. 4** was adopted.

Representative Mitten offered **House Amendment No. 5**.

House Amendment No. 5

AMEND House Committee Bill No. 1, Page 64, Section 570.095, Lines 140-141, by deleting all of said lines and inserting in lieu thereof the following:

"9. If a filing or record is deemed invalid, the prevailing party shall be awarded all reasonable costs and fees incurred by that party in the action. If the filing or record is deemed"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Mitten, **House Amendment No. 5** was adopted.

On motion of Representative McGaugh, the title of **HCB 1, as amended**, was agreed to.

On motion of Representative McGaugh, **HCB 1, as amended**, was ordered perfected and printed.

COMMITTEE REPORTS

Committee on Elections and Elected Officials, Chairman Shumake reporting:

Mr. Speaker: Your Committee on Elections and Elected Officials, to which was referred **HJR 35**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 24(25)(b) be referred to the Committee on Rules - Administrative Oversight by the following vote:

Ayes (7): Alferman, Austin, Higdon, McGaugh, Shaul (113), Shumake and Toalson Reisch

Noes (5): Adams, Conway (10), Dunn, Marshall and Newman

Absent (1): Stacy

Mr. Speaker: Your Committee on Elections and Elected Officials, to which was referred **HB 856**, begs leave to report it has examined the same and recommends that it **Do Not Pass** by the following vote:

Ayes (5): Austin, McGaugh, Shumake, Stacy and Toalson Reisch

Noes (8): Adams, Alferman, Conway (10), Dunn, Higdon, Marshall, Newman and Shaul (113)

Absent (0)

Mr. Speaker: Your Committee on Elections and Elected Officials, to which was referred **SCS SB 93**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 24(25)(b) be referred to the Committee on Rules - Administrative Oversight by the following vote:

Ayes (13): Adams, Alferman, Austin, Conway (10), Dunn, Higdon, Marshall, McGaugh, Newman, Shaul (113), Shumake, Stacy and Toalson Reisch

Noes (0)

Absent (0)

Committee on Pensions, Chairman Walker (3) reporting:

Mr. Speaker: Your Committee on Pensions, to which was referred **SCS SB 309**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 24(25)(b) be referred to the Committee on Rules - Administrative Oversight by the following vote:

Ayes (11): Anders, Black, Brown (27), Brown (57), Crawford, Kendrick, Morgan, Pike, Rehder, Rowland (155) and Walker (3)

Noes (1): Pogue

Absent (1): Moon

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HCS HB 1**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HCS HB 2** entitled:

An act to appropriate money for the expenses, grants, refunds, and distributions of the State Board of Education and the Department of Elementary and Secondary Education, and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2017 and ending June 30, 2018.

With Senate Amendment No. 1 to Senate Substitute Amendment No. 1 for Senate Amendment No. 2 and Senate Substitute Amendment No. 1 for Senate Amendment No. 2, as amended.

*Senate Amendment No. 1
to
Senate Substitute Amendment No. 1
for
Senate Amendment No. 2*

AMEND Senate Substitute Amendment No. 1 for Senate Amendment No. 2 to Senate Committee Substitute for House Committee Substitute for House Bill No. 2, Page 1, Line 3, by striking the number “\$3,747,483,608” and inserting in lieu thereof the following: “\$3,749,483,608”; and

Further amend Line 6, by striking the number “\$3,390,907,149” and inserting in lieu thereof the following: “\$3,392,907,149”; and

Further amend Line 9, by striking the number “2,199,618,959” and inserting in lieu thereof the following: “2,201,618,959”; and

Further amend Line 12, by striking the number “\$144,293,669” and inserting in lieu thereof the following: “\$144,295,669”; and

Further amend the title and enacting clause accordingly.

*Senate Substitute Amendment No.1
for
Senate Amendment No.2*

AMEND Senate Committee Substitute for House Committee Substitute for House Bill No. 2, Page 2, Section 2.015, Line 3, by striking the number “\$3,704,489,396” and inserting in lieu thereof the number “\$3,747,483,608”; and

Further amend said section, Line 9, by striking the number “\$3,347,912,937” and inserting in lieu thereof the number “\$3,390,907,149”; and

Further amend said section, Line 16, by striking the number “2,164,393,353” and inserting in lieu thereof the number “2,199,618,959”; and

Further amend said section, Line 19, by striking the number “136,527,063” and inserting in lieu thereof the number “\$144,293,669”; and

Further amend section and bill totals accordingly.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HCS HB 3** entitled:

An act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Higher Education, the several divisions, programs, and institutions of higher education included therein to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2017 and ending June 30, 2018; provided that no scholarship funds shall be expended on behalf of students with an unlawful immigration status in the United States.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HCS HB 4** entitled:

An act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Revenue, the Department of Transportation, and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2017 and ending June 30, 2018. The Missouri Department of Transportation shall not expend any funds to encourage the enactment of local ordinances regarding primary enforcement of seat belt laws.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HCS HB 5** entitled:

An act to appropriate money for the expenses, grants, refunds, and distributions of the Office of Administration, the Department of Transportation, the Department of Conservation, the Department of Public Safety, the Chief Executive's Office, and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2017 and ending June 30, 2018.

In which the concurrence of the House is respectfully requested.

ADJOURNMENT

On motion of Representative Austin, the House adjourned until 10:00 a.m., Wednesday, April 26, 2017.

COMMITTEE HEARINGS

BUDGET

Wednesday, April 26, 2017, 8:15 AM, House Hearing Room 3.

Public hearing will be held: SS SB 22

Executive session may be held on any matter referred to the committee.

Annual review of state tax credits continued if necessary.

AMENDED

BUDGET

Thursday, April 27, 2017, 8:15 AM, House Hearing Room 3.

Executive session may be held on any matter referred to the committee.

Annual review of state tax credits continued if necessary.

CONSERVATION AND NATURAL RESOURCES

Wednesday, April 26, 2017, 8:30 AM, House Hearing Room 1.

Executive session will be held: SS SB 35

Executive session may be held on any matter referred to the committee.

ECONOMIC DEVELOPMENT

Wednesday, April 26, 2017, 1:45 PM, or one hour after morning recess, House Hearing Room 4.

Executive session will be held: HB 387, SS SB 124

Executive session may be held on any matter referred to the committee.

FISCAL REVIEW

Wednesday, April 26, 2017, 12:00 PM or upon morning adjournment (whichever is later), South Gallery.

Executive session may be held on any matter referred to the committee.

Room may change.

FISCAL REVIEW

Thursday, April 27, 2017, 8:30 AM, House Hearing Room 6.

Executive session may be held on any matter referred to the committee.

FISCAL REVIEW

Monday, May 1, 2017, 1:30 PM, House Hearing Room 7.

Executive session may be held on any matter referred to the committee.

FISCAL REVIEW

Tuesday, May 2, 2017, 8:30 AM, House Hearing Room 4.

Executive session may be held on any matter referred to the committee.

Room subject to change.

HEALTH AND MENTAL HEALTH POLICY

Wednesday, April 26, 2017, 12:00 PM or upon conclusion of morning session (whichever is later), House Hearing Room 7.

Public hearing will be held: HB 1021, SB 501, HB 1153

Executive session may be held on any matter referred to the committee.

Added HB 1153.

AMENDED

HIGHER EDUCATION

Wednesday, April 26, 2017, 12:00 PM or upon conclusion of morning session (whichever is later), House Hearing Room 5.

Executive session may be held on any matter referred to the committee.

Presentations from the following higher education institutions: University of Central Missouri, Missouri Western State University and Northwest Missouri State University.

JOINT COMMITTEE ON EDUCATION

Monday, May 1, 2017, 12:30 PM, Senate Committee Room 2.

Executive session may be held on any matter referred to the committee.

1. Department of Elementary and Secondary Education (DESE) will present a draft state response to the federal Every Student Succeeds Act (ESSA).
2. Elections of JCED Chair and Co-Chair.
3. Discuss possible JCED interim projects.

JOINT COMMITTEE ON PUBLIC EMPLOYEE RETIREMENT

Thursday, April 27, 2017, 9:00 AM, House Hearing Room 7.

Executive session may be held on any matter referred to the committee.

Second quarter meeting.

LOCAL GOVERNMENT

Wednesday, April 26, 2017, 12:00 PM or upon conclusion of morning session (whichever is later), House Hearing Room 1.

Public hearing will be held: SCS SB 405

Executive session will be held: SCS SB 112, SB 146, HB 1210, HB 1079

Executive session may be held on any matter referred to the committee.

We will hold Executive Session before Public Hearing.

PENSIONS

Wednesday, April 26, 2017, 12:00 PM, North Gallery.

Executive session will be held: SB 394

Executive session may be held on any matter referred to the committee.

CORRECTED

PROFESSIONAL REGISTRATION AND LICENSING

Wednesday, April 26, 2017, 12:30 PM or upon morning adjournment (whichever is later),
House Hearing Room 6.

Public hearing will be held: HB 1154

Executive session may be held on any matter referred to the committee.

RULES - ADMINISTRATIVE OVERSIGHT

Wednesday, April 26, 2017, 5:00 PM or upon adjournment (whichever is later), House Hearing
Room 7.

Executive session will be held: SS SCS SB 10, HCS SCS SB 11, HCS SB 30, SCS SB 93,
HCS SB 95, SB 222, HCS SB 283, SB 296, HCS SB 302, SCS SB 322, SB 503, HCS HJR 35

Executive session may be held on any matter referred to the committee.

Adding HJR 35.

AMENDED

RULES - LEGISLATIVE OVERSIGHT

Wednesday, April 26, 2017, upon conclusion of morning session, House Hearing Room 4.

Executive session will be held: SS SB 31, HCS SS SB 34, SCS SB 82, HCS SCS SB 139,
HCS SCS SB 237, SCS SB 279, HCS SB 488, HB 772, HCS HB 388, HCS HB 360,
HCS SCS SB 421, HCS SS SCS SB 160, HCS SCS SB 161

Executive session may be held on any matter referred to the committee.

Changing location to HR 4.

CORRECTED

RULES - LEGISLATIVE OVERSIGHT

Monday, May 1, 2017, 2:00 PM, House Hearing Room 5.

Executive session may be held on any matter referred to the committee.

Please be prepared to take action on any bill referred to committee.

RULES - LEGISLATIVE OVERSIGHT

Tuesday, May 2, 2017, upon conclusion of morning session, House Hearing Room 1.

Executive session may be held on any matter referred to the committee.

Please be prepared to take action on any bill referred to committee.

RULES - LEGISLATIVE OVERSIGHT

Wednesday, May 3, 2017, upon conclusion of morning session, House Hearing Room 1.

Executive session may be held on any matter referred to the committee.

Please be prepared to take action on any bill referred to committee.

RULES - LEGISLATIVE OVERSIGHT

Monday, May 8, 2017, 2:00 PM, House Hearing Room 5.

Executive session may be held on any matter referred to the committee.

Please be prepared to take action on any bill referred to committee.

RULES - LEGISLATIVE OVERSIGHT

Tuesday, May 9, 2017, upon conclusion of morning session, House Hearing Room 1.
Executive session may be held on any matter referred to the committee.
Please be prepared to take action on any bill referred to committee.

RULES - LEGISLATIVE OVERSIGHT

Wednesday, May 10, 2017, upon conclusion of morning session, House Hearing Room 1.
Executive session may be held on any matter referred to the committee.
Please be prepared to take action on any bill referred to committee.

SPECIAL COMMITTEE ON GOVERNMENT OVERSIGHT

Thursday, April 27, 2017, 9:30 AM, South Gallery.
Executive session will be held: SCR 21
Executive session may be held on any matter referred to the committee.

SPECIAL COMMITTEE ON HOMELAND SECURITY

Thursday, April 27, 2017, 8:00 AM, House Hearing Room 4.
Executive session may be held on any matter referred to the committee.
Testimony pertaining to homeland security. Pursuant to Article III, Section 18 of the Missouri Constitution, and 610.021(10), (19), (20), and (21) RSMO., portions of the meeting may be closed.

SPECIAL COMMITTEE ON SMALL BUSINESS

Wednesday, April 26, 2017, 5:00 PM or upon afternoon adjournment (whichever is later),
House Hearing Room 6.
Public hearing will be held: SCS SB 404
Executive session will be held: SB 18
Executive session may be held on any matter referred to the committee.

SUBCOMMITTEE ON BOARDS AND COMMISSIONS

Thursday, April 27, 2017, 1:00 PM, House Hearing Room 5.
Executive session may be held on any matter referred to the committee.
Possible public testimony from the following:
Committee for Professional Counselors
State Committee of Marital and Family Therapists
State Committee of Dietitians
State Committee for Social Workers
State Board of Embalmers and Funeral Directors
Missouri Health Insurance Pool
Missouri Pet Spay/Neuter Fund Board
Missouri Propane Safety Commission
Missouri Quality Home Care Council
Missouri State Park Advisory Board
Missouri State Unemployment Council
Missouri Task Force on Prematurity and Infant Mortality

Missouri Task Force on the Prevention of Infant Abuse and Neglect
Professional Services Payment Committee
Special Health, Psychological and Social Needs of Minority Older Individuals Commission
State Banking Board and Savings and Loan Board
State Environmental Improvement and Energy Resources Authority
Task Force on The Prevention of Sexual Abuse of Children
Unmarked Human Burial Consultation Committee
CORRECTED

TRANSPORTATION

Wednesday, April 26, 2017, 8:00 AM, House Hearing Room 5.
Public hearing will be held: SB 225, SCS SB 355
Executive session will be held: SB 225, SCS SB 355
Executive session may be held on any matter referred to the committee.

UTILITIES

Wednesday, April 26, 2017, 5:00 PM, House Hearing Room 5.
Public hearing will be held: HB 84
Executive session may be held on any matter referred to the committee.

WORKFORCE DEVELOPMENT

Wednesday, April 26, 2017, 9:00 AM, House Hearing Room 4.
Public hearing will be held: SCS SB 240
Executive session will be held: SCS SB 240
Executive session may be held on any matter referred to the committee.

HOUSE CALENDAR

SIXTY-SECOND DAY, WEDNESDAY, APRIL 26, 2017

HOUSE JOINT RESOLUTIONS FOR PERFECTION

HCS HJR 29 - Dohrman
HJR 2 - Shumake
HJR 18 - Moon

HOUSE COMMITTEE BILLS FOR PERFECTION

HCB 2 - Reiboldt
HCS HCB 8 - McGaugh
HCB 9 - McGaugh

HOUSE BILLS FOR PERFECTION

HB 459 - Kolkmeyer
HB 463 - Kolkmeyer
HB 39 - Higdon

HB 182 - Hurst
HCS HB 326 - Miller
HB 358 - Bahr
HCS HB 415 - McGaugh
HB 426 - Cornejo
HCS HBs 908 & 757 - Lichtenegger
HB 708 - Hill
HB 56 - Love
HB 110 - Davis
HCS HB 574 - Davis
HCS HB 677 - Rowland (155)
HB 738 - Kolkmeyer
HB 799 - Lauer
HCS HB 890 - Mathews
HB 114 - McGaugh
HB 301 - Hill
HB 305 - Pike
HB 322 - Neely
HCS HB 379 - Plocher
HCS HB 436 - Hill
HB 705 - Cross
HCS HB 754 - Schroer
HCS HB 827 - DeGroot
HB 889 - Rehder
HCS HB 136 - Spencer
HCS HB 351 - McGaugh
HB 352 - Eggleston
HB 603 - Rone
HB 897 - Houghton
HB 102 - Swan
HB 257 - Pfautsch
HCS HB 291 - Crawford
HB 356 - Bahr
HCS HB 432 - Conway (10)
HCS HB 611 - Carpenter
HCS HB 717 - Curtman
HB 723 - Walker (3)
HB 899 - Brown (57)
HB 1008 - Kelly (141)
HB 187 - Swan
HCS HB 226 - Hubrecht
HB 254 - Swan
HB 268 - Brattin
HCS HB 405 - Hubrecht
HCS HB 642 - Kelly (141)

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HCS HB 696 - Kelly (141)
HB 768 - Lant
HB 790 - Wiemann
HB 794 - Walker (3)
HCS HB 878 - Dogan
HB 888 - Basye
HB 906 - DeGroot
HCS HB 957 - Rhoads
HCS#2 HBs 48, 69, 495 & 589 - Lichtenegger
HB 287 - Beard
HB 457 - Swan
HB 665 - Walker (3)
HB 761 - Barnes (60)
HB 486 - Dunn
HB 397 - Nichols
HCS HBs 1007 & 937 - Evans
HB 637 - Helms
HB 472 - Smith (85)

HOUSE CONCURRENT RESOLUTIONS FOR THIRD READING

HCR 48 - Kidd
HCR 20 - Kidd
HCR 36 - Walker (74)
HCR 30 - May

HOUSE BILLS FOR THIRD READING

HB 401 - McDaniel
HCS HB 654 - Rowland (155)
HCS HB 1116 - Shaul (113)
HCS HB 380, (Fiscal Review 4/20/17) - Plocher
HCS HB 608, as amended - Anderson

HOUSE BILLS FOR THIRD READING - CONSENT

HCS HB 914 - Kidd

SENATE BILLS FOR THIRD READING - CONSENT

SCS SB 52, E.C. - Frederick

SENATE BILLS FOR THIRD READING

SB 45 - Corlew
SCS SB 108 - Davis
HCS SB 111 - Crawford

SB 486 - Bernskoetter
SS#2 SCS SB 43 - McGaugh
SS SB 182 - Vescovo
SB 411 - Tate
SB 329 - Kolkmeier
HCS SS SB 62 - Black
SS SCS SB 16 - Engler
SB 50 - Frederick
SB 194 - Trent
SCS SB 229 - Fitzwater (49)

HOUSE BILLS WITH SENATE AMENDMENTS

SCS HCS HB 50 - Roeber
SCS HCS HB 14 - Fitzpatrick
SCS HB 51 - Andrews
SS SCS HCS HBs 339 & 714, as amended - DeGroot
SCS HCS HB 2, as amended - Fitzpatrick
SCS HCS HB 3 - Fitzpatrick
SCS HCS HB 4 - Fitzpatrick
SCS HCS HB 5 - Fitzpatrick

BILLS CARRYING REQUEST MESSAGES

SS HCS HBs 90 & 68, as amended (request Senate recede/grant conference) - Rehder

HOUSE RESOLUTIONS

HR 11 - Peters
HR 395 - Ruth

ACTIONS PURSUANT TO ARTICLE IV, SECTION 27

HCS HB 2001 - Fitzpatrick
CCS SCS HCS HB 2002 - Fitzpatrick
CCS SCS HCS HB 2003 - Fitzpatrick
CCS SCS HCS HB 2004 - Fitzpatrick
CCS SCS HCS HB 2005 - Fitzpatrick
CCS SCS HCS HB 2006 - Fitzpatrick
CCS SCS HCS HB 2007 - Fitzpatrick
CCS SCS HCS HB 2008 - Fitzpatrick
CCS SCS HCS HB 2009 - Fitzpatrick
CCS SCS HCS HB 2010 - Fitzpatrick
CCS SCS HCS HB 2011 - Fitzpatrick

CCS SCS HCS HB 2012 - Fitzpatrick

HCS HB 2013 - Fitzpatrick

SCS HCS HB 2017 - Fitzpatrick

SS SCS HCS HB 2018 - Fitzpatrick