

House _____ Amendment NO. _____

Offered By

1 AMEND House Bill No. 388, Page 1, Section A, Line 2, by inserting after all of said section and line the
2 following:

3
4 "301.010. As used in this chapter and sections 304.010 to 304.040, 304.120 to 304.260, and sections
5 307.010 to 307.175, the following terms mean:

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

9 (2) "Automobile transporter", any vehicle combination designed and used specifically for the
10 transport of assembled motor vehicles;

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

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

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

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

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

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

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

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

27 (11) "Driveaway operation":

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

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

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

39 (12) "Dromedary", a box, deck, or plate mounted behind the cab and forward of the fifth wheel on the
40 frame of the power unit of a truck tractor-semitrailer combination. A truck tractor equipped with a dromedary

Action Taken _____ Date _____

1 may carry part of a load when operating independently or in a combination with a semitrailer;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

49 (27) "Local log truck tractor", a commercial motor vehicle which is registered under this chapter to
50 operate as a motor vehicle on the public highways of this state, used exclusively in this state, used to transport
51 any form or type of harvested forest products, operated solely at a forested site and in an area extending not
52 more than a [one]two hundred-mile radius from such site, operates with a weight not exceeding twenty-two
53 thousand four hundred pounds on one axle or with a weight not exceeding forty-four thousand eight hundred
54 pounds on any tandem axle, and when operated on the national system of interstate and defense highways

1 described in Title 23, Section 103(e) of the United States Code, such vehicle does not exceed the weight limits
2 contained in section 304.180, and does not have more than three axles and does not pull a trailer which has
3 more than two axles. Violations of axle weight limitations shall be subject to the load limit penalty as
4 described for in sections 304.180 to 304.220;

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

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

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

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

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

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

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

24 (a) Offered for hire or lease; or

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

52
53 Further amend said bill, Pages 4-5, Section 304.180, Lines 115-135, by deleting all of said lines and inserting
54 in lieu there of the following:

1
2 "9. [Notwithstanding subsection 3 of this section or any other provision of law to the contrary, the
3 total gross weight of any vehicle or combination of vehicles hauling livestock may be as much as, but shall
4 not exceed, eighty-five thousand five hundred pounds while operating on U.S. Highway 36 from St. Joseph to
5 U.S. Highway 63, on U.S. Highway 65 from the Iowa state line to U.S. Highway 36, and on U.S. Highway 63
6 from the Iowa state line to U.S. Highway 36, and on U.S. Highway 63 from U.S. Highway 36 to Missouri
7 Route 17. The provisions of this subsection shall not apply to vehicles operated on the Dwight D. Eisenhower
8 System of Interstate and Defense Highways.

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

14 [11.] 10. Notwithstanding any provision of this section or any other law to the contrary, any vehicle
15 or combination of vehicles hauling grain or grain co-products during times of harvest may be as much as, but
16 not exceeding, ten percent over the maximum weight limitation allowable under subsection 3 of this section
17 while operating on highways other than the interstate highway system. The provisions of this subsection shall
18 not apply to vehicles operated and operating on the Dwight D. Eisenhower System of Interstate and Defense
19 Highways.

20 11. Notwithstanding any provision of this section or any other law to the contrary, the"; and

21
22 Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.
23