

SENATE SUBSTITUTE
FOR
HOUSE BILL NO. 661
AN ACT

To repeal sections 21.795, 300.010, 301.010, 301.062, 301.147, 301.192, 301.280, 301.558, 302.010, 302.341, 302.755, 303.020, 304.001, 304.153, 304.180, 304.240, 307.025, 307.128, 307.180, 307.188, 307.193, 307.350, 307.380, 365.020, 385.220, 385.320, 407.300, 407.526, 407.536, 407.556, 407.560, 407.815, 407.1025, 570.030, 578.120, and 643.315, RSMo, and to enact in lieu thereof forty-five new sections relating to transportation, with penalty provisions and an emergency clause for certain sections.

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

Section A. Sections 21.795, 300.010, 301.010, 301.062, 2 301.147, 301.192, 301.280, 301.558, 302.010, 302.341, 302.755, 3 303.020, 304.001, 304.153, 304.180, 304.240, 307.025, 307.128, 4 307.180, 307.188, 307.193, 307.350, 307.380, 365.020, 385.220, 5 385.320, 407.300, 407.526, 407.536, 407.556, 407.560, 407.815, 6 407.1025, 570.030, 578.120, and 643.315, RSMo, are repealed and 7 forty-five new sections enacted in lieu thereof, to be known as 8 sections 21.795, 43.253, 142.1000, 162.066, 300.010, 301.010, 9 301.033, 301.062, 301.147, 301.192, 301.280, 301.558, 302.010, 10 302.341, 302.755, 303.020, 304.001, 304.153, 304.180, 304.240, 11 304.900, 307.025, 307.128, 307.180, 307.188, 307.193, 307.194, 12 307.350, 307.380, 365.020, 385.220, 385.320, 385.450, 407.005, 13 407.300, 407.526, 407.536, 407.556, 407.560, 407.815, 407.1025, 14 570.030, 578.120, 643.315, and 1, to read as follows:

21.795. 1. There is established a permanent joint 2 committee of the general assembly to be known as the "Joint 3 Committee on Transportation Oversight" to be composed of 4 seven members of the standing transportation committees of

5 both the senate and the house of representatives and three
6 nonvoting ex officio members. Of the fourteen members to be
7 appointed to the joint committee, the seven senate members
8 of the joint committee shall be appointed by the president
9 pro tem of the senate and minority leader of the senate and
10 the seven house members shall be appointed by the speaker of
11 the house of representatives and the minority floor leader
12 of the house of representatives. The seven senate members
13 shall be composed, as nearly as may be, of majority and
14 minority party members in the same proportion as the number
15 of majority and minority party members in the senate bears
16 to the total membership of the senate. No major party shall
17 be represented by more than four members from the house of
18 representatives. The ex officio members shall be the state
19 auditor, the director of the oversight division of the
20 committee on legislative research, and the commissioner of
21 the office of administration or the designee of such
22 auditor, director or commissioner. The joint committee
23 shall be chaired jointly by both chairs of the senate and
24 house transportation committees. A majority of the
25 committee shall constitute a quorum, but the concurrence of
26 a majority of the members, other than the ex officio
27 members, shall be required for the determination of any
28 matter within the committee's duties.

29 2. The department of transportation shall submit a
30 written report prior to December thirty-first of each year
31 to the governor and the lieutenant governor. The report
32 shall be posted to the department's internet website so that
33 general assembly members may elect to access a copy of the
34 report electronically. The written report shall contain the
35 following:

36 (1) A comprehensive financial report of all funds for
37 the preceding state fiscal year which shall include a report

38 by independent certified public accountants, selected by the
39 commissioner of the office of administration, attesting that
40 the financial statements present fairly the financial
41 position of the department in conformity with generally
42 accepted government accounting principles;

43 (2) A copy of the department's most current and annual
44 publication titled "Citizen's Guide to Transportation
45 Funding in Missouri";

46 (3) A copy of the department's most current and annual
47 publication titled "Financial Snapshot - An appendix to the
48 Citizen's Guide to Transportation Funding in Missouri";

49 (4) A copy of the department's most current and annual
50 publication titled "MoDOT Results: Accountability.
51 Innovation. Efficiency.".

52 3. Prior to February fifteenth of each year, the
53 committee shall hold an annual meeting and call before its
54 members, officials or employees of the state highways and
55 transportation commission or department of transportation,
56 as determined by the committee, for the [sole] purpose of
57 receiving and examining the report required pursuant to
58 subsection 2 of this section. The committee shall not have
59 the power to modify projects or priorities of the state
60 highways and transportation commission or department of
61 transportation. The committee may make recommendations to
62 the state highways and transportation commission or the
63 department of transportation. Disposition of those
64 recommendations shall be reported by the commission or the
65 department to the joint committee on transportation
66 oversight.

67 4. In addition to the annual meeting required by
68 subsection 3 of this section, the committee shall meet two
69 times each year. The co-chairs of the committee shall
70 establish an agenda for each meeting that may include, but

71 not be limited to, the following items to be discussed with
72 the committee members throughout the year during the
73 scheduled meeting:

74 (1) Presentation of a prioritized plan for all modes
75 of transportation;

76 (2) Discussion of department efficiencies and
77 expenditure of cost-savings within the department;

78 (3) Presentation of a status report on department of
79 transportation revenues and expenditures, including a
80 detailed summary of projects funded by new state revenue as
81 provided in paragraph (a) of subdivision (1) of subsection 2
82 of this section; and

83 (4) Implementation of any actions as may be deemed
84 necessary by the committee as authorized by law. The co-
85 chairs of the committee may call special meetings of the
86 committee with ten days' notice to the members of the
87 committee, the director of the department of transportation,
88 and the department of transportation.

89 5. (1) The committee shall ensure towing companies
90 charge fair, equitable, and reasonable rates for services
91 rendered in connection with the towing of commercial motor
92 vehicles, and shall:

93 (a) Establish a process the committee shall use to
94 receive, investigate, and adjudicate complaints against a
95 towing company regarding the towing of a commercial motor
96 vehicle, and a process the commercial motor vehicle towing
97 adjudicative board established in subdivision (4) of this
98 subsection shall use to investigate and adjudicate any
99 complaints referred to it by the committee;

100 (b) Establish factors the committee and the commercial
101 motor vehicle towing adjudication board shall consider in
102 determining whether a charge levied by a towing company in

103 connection with the towing of a commercial motor vehicle is
104 fair, equitable, and reasonable;

105 (c) Establish a process law enforcement agencies in
106 the state may use to suspend or remove a towing company from
107 their towing rotation with regard to the towing of
108 commercial motor vehicles; and

109 (d) Establish information required to be included on
110 any invoice associated with the towing of a commercial motor
111 vehicle.

112 (2) The committee shall, in consultation with the
113 department of transportation and the department of public
114 safety, promulgate rules as necessary for the implementation
115 of this subsection. Any rule or portion of a rule, as that
116 term is defined in section 536.010, that is created under
117 the authority delegated in this section shall become
118 effective only if it complies with and is subject to all of
119 the provisions of chapter 536 and, if applicable, section
120 536.028. This section and chapter 536 are nonseverable and
121 if any of the powers vested with the general assembly
122 pursuant to chapter 536 to review, to delay the effective
123 date, or to disapprove and annul a rule are subsequently
124 held unconstitutional, then the grant of rulemaking
125 authority and any rule proposed or adopted after August 28,
126 2021, shall be invalid and void.

127 (3) The committee shall meet as necessary to carry out
128 the requirements of this subsection and the requirements of
129 any rules promulgated in accordance with this subsection.
130 The meetings required under this subsection may be held
131 concurrently with the meetings held in accordance with
132 subsections 3 or 4 of this section.

133 (4) If the committee determines a violation of the
134 rules promulgated in accordance with this subsection may
135 have occurred, the complaint shall be referred to the

136 "Commercial Motor Vehicle Towing Adjudicative Board" for
137 adjudication. The commercial motor vehicle towing
138 adjudicative board shall consist of the chair and vice chair
139 of the committee, the two ranking minority members of the
140 committee, the director of the department of transportation
141 or his or her designee, the director of the department of
142 public safety or his or her designee, and the director of
143 the department of revenue or his or her designee, provided
144 that the committee shall specify by rule a recusal process
145 through which members of the adjudicative board who may have
146 a conflict of interest may be temporarily removed or
147 replaced by another member of the committee. No fewer than
148 five members of the commercial motor vehicle towing
149 adjudicative board shall be present when the board makes a
150 determination in accordance with this subdivision, and
151 determinations shall be made by majority vote of the members
152 present. If the commercial motor vehicle towing
153 adjudicative board determines that a violation of the rules
154 promulgated in accordance with this subsection has occurred,
155 the towing company that committed the violation shall not be
156 contacted by any law enforcement agency for a nonconsensual
157 tow for a period of six months for a first violation, a
158 period of twelve months for a second violation, and
159 permanently for a third violation.

160 (5) The committee shall keep and maintain a record of
161 any proceedings that occur as a result of this subsection.

162 (6) The committee may, at the discretion of the
163 committee, make recommendations to the governor or the
164 general assembly regarding statutes governing the
165 nonconsensual towing of commercial motor vehicles.

166 (7) As used in this subsection, the following terms
167 shall mean:

168 (a) "Commercial motor vehicle", the same meaning as
169 defined in section 301.010;

170 (b) "Nonconsensual tow", the towing or recovery of a
171 commercial motor vehicle which was authorized, requested, or
172 dispatched by any law enforcement agency in the state. When
173 an owner or operator of a commercial motor vehicle requests
174 a law enforcement officer or other public agency to initiate
175 a tow, the tow shall be considered a nonconsensual tow;

176 (c) "Towing company", the same meaning as defined in
177 section 304.153.

178 6. The committee shall also review all applications
179 for the development of specialty plates submitted to it by
180 the department of revenue. The committee shall approve such
181 application by a majority vote. The committee shall approve
182 any application unless the committee receives:

183 (1) A signed petition from five house members or two
184 senators that they are opposed to the approval of the
185 proposed license plate and the reason for such opposition;

186 (2) Notification that the organization seeking
187 authorization to establish a new specialty license plate has
188 not met all the requirements of section 301.3150;

189 (3) A proposed new specialty license plate containing
190 objectionable language or design;

191 (4) A proposed license plate not meeting the
192 requirements of any reason promulgated by rule.

193 The committee shall notify the director of the department of
194 revenue upon approval or denial of an application for the
195 development of a specialty plate.

196 [6.] 7. The committee shall submit records of its
197 meetings to the secretary of the senate and the chief clerk
198 of the house of representatives in accordance with sections
199 610.020 and 610.023.

43.253. 1. Notwithstanding any other provision of law
2 to the contrary, a minimum fee of five dollars may be
3 charged by the Missouri state highway patrol for any records
4 request where there are allowable fees of less than five
5 dollars under this chapter or chapter 610. Such five-dollar
6 fee shall be in place of any allowable fee of less than five
7 dollars.

8 2. The superintendent of the Missouri state highway
9 patrol may increase the minimum fee described in this
10 section by no more than one dollar every other year
11 beginning August 28, 2022; however, the minimum fee
12 described in this section shall not exceed ten dollars.

13 3. A request for public records under chapter 43 or
14 chapter 610 shall be considered withdrawn if the requester
15 fails to remit all fees within thirty days of a request for
16 payment of the fees by the Missouri state highway patrol.

142.1000. 1. There is hereby created within the
2 department of revenue the "Electric Vehicle Task Force" to
3 consist of the following members:

4 (1) The director of the department of revenue, or his
5 or her designee, who shall serve as chair;

6 (2) The chairman of the public service commission, or
7 his or her designee, who shall serve as vice chair;

8 (3) The director of the department of transportation,
9 or his or her designee;

10 (4) The director of the division of energy of the
11 department of natural resources, or his or her designee;

12 (5) Two members of the senate, to be appointed by the
13 president pro tempore of the senate;

14 (6) Two members of the house of representatives, to be
15 appointed by the speaker of the house of representatives;

16 (7) One member of the senate committee with
17 jurisdiction over transportation matters, to be appointed by
18 the minority floor leader of the senate;

19 (8) One member of the house of representatives
20 committee with jurisdiction over transportation matters, to
21 be appointed by the minority floor leader of the house of
22 representatives;

23 (9) One representative of the trucking or heavy
24 vehicle industry, to be appointed by the president pro
25 tempore of the senate;

26 (10) One representative of electric vehicle
27 manufacturers or dealers, to be appointed by the speaker of
28 the house of representatives;

29 (11) One representative of conventional motor vehicle
30 manufacturers or dealers, to be appointed by the president
31 pro tempore of the senate;

32 (12) One representative of the petroleum industry or
33 convenience stores, to be appointed by the speaker of the
34 house of representatives;

35 (13) One representative of electric vehicle charging
36 station manufacturers or operators, to be appointed by the
37 president pro tempore of the senate; and

38 (14) One representative of electric utilities, to be
39 appointed by the speaker of the house of representatives.

40 2. The task force shall analyze the following in the
41 context of transportation funding, and make recommendations
42 as to any actions the state should take to fund
43 transportation infrastructure in anticipation of more
44 widespread adoption of electric vehicles:

45 (1) Removal or mitigation of barriers to electric
46 vehicle charging, including strategies, such as time-of-use
47 rates, to reduce operating costs for current and future

48 electric vehicle owners without shifting costs to electric
49 ratepayers who do not own or operate electric vehicles;

50 (2) Strategies for managing the impact of electric
51 vehicles on, and services provided for electric vehicles by,
52 the electricity transmission and distribution system;

53 (3) Electric system benefits and costs of electric
54 vehicle charging, electric utility planning for electric
55 vehicle charging, and rate design for electric vehicle
56 charging;

57 (4) The appropriate role of electric utilities with
58 regard to the deployment and operation of electric vehicle
59 charging systems;

60 (5) How and on what terms, including quantity,
61 pricing, and time of day, charging stations owned or
62 operated by entities other than electric utilities will
63 obtain electricity to provide to electric vehicles;

64 (6) What safety standards should apply to the charging
65 of electric vehicles;

66 (7) The recommended scope of the jurisdiction of the
67 public service commission, the department of revenue, and
68 other state agencies over charging stations owned or
69 operated by entities other than electric utilities;

70 (8) Whether charging stations owned or operated by
71 entities other than electric utilities will be free to set
72 the rates or prices at which they provide electricity to
73 electric vehicles, and any other issues relevant to the
74 appropriate oversight of the rates and prices charged by
75 such stations, including transparency to the consumer of
76 those rates and prices; and

77 (9) The recommended billing and complaint procedures
78 for charging stations;

79 (10) Options to address how electric vehicle users pay
80 toward the cost of maintaining the state's transportation

81 infrastructure, including methods to assess the impact of
82 electric vehicles on that infrastructure and how to
83 calculate a charge based on that impact, the potential
84 assessment of a charge to electric vehicles as a rate per
85 kilowatt hour delivered to an electric vehicle, varying such
86 per-kilowatt-hour charge by size and type of electric
87 vehicle, and phasing in such per-kilowatt-hour charge;

88 (11) The accuracy of electric metering and submetering
89 technology for charging electric vehicles;

90 (12) Strategies to encourage electric vehicle usage
91 without shifting costs to electric ratepayers who do not own
92 or charge electric vehicles; and

93 (13) Any other issues the task force considers
94 relevant.

95 3. The department of revenue shall provide such
96 research, clerical, technical, and other services as the
97 task force may require in the performance of its duties.

98 4. The task force may hold public meetings at which it
99 may invite testimony from experts, or it may solicit
100 information from any party it deems may have information
101 relevant to its duties under this section.

102 5. No later than December 31, 2022, the task force
103 shall provide to the general assembly and the governor a
104 written report detailing its findings and recommendations,
105 including identifying any recommendations that may require
106 enabling legislation.

107 6. Members shall serve on the task force without
108 compensation, but may, at the discretion of the director of
109 the department of revenue, be reimbursed for actual and
110 necessary expenses incurred in the performance of their
111 official duties as members of the task force.

112 7. The task force shall expire on December 31, 2022.

162.066. 1. There is hereby established the "Joint Task Force on School Bus Safety" to study school bus transportation safety in public schools. The task force members shall be appointed as follows:

(1) Two members of the house of representatives appointed by the speaker of the house of representatives;

(2) Two members of the senate appointed by the president pro tempore of the senate;

(3) The commissioner of education or his or her designee;

(4) The director of the department of transportation or his or her designee; and

(5) The director of the department of public safety or his or her designee.

2. The members of the task force shall meet within thirty days after its creation to organize and select one member to serve as chair.

3. Beginning January 1, 2022, the task force shall meet at least three times annually to complete its consideration of its objectives under the provisions of this section. Members of the task force shall serve without compensation, but shall be entitled to reimbursement for actual and necessary expenses incurred in the performance of their official duties.

4. The task force shall develop an annual report analyzing school bus transportation safety in public schools, including:

(1) Entrance and exit safety;

(2) Effectiveness of seat belts; and

(3) Other school bus transportation safety issues deemed worthy by the chair.

32 5. Beginning January 1, 2022, the task force shall
33 submit its report to the governor and general assembly by
34 December thirty-first annually.

 300.010. The following words and phrases when used in
2 this ordinance mean:

3 (1) "Alley" or "alleyway", any street with a roadway
4 of less than twenty feet in width;

5 (2) "All-terrain vehicle", any motorized vehicle
6 manufactured and used exclusively for off-highway use, with
7 an unladen dry weight of one thousand five hundred pounds or
8 less, traveling on three, four or more nonhighway tires,
9 with either:

10 (a) A seat designed to be straddled by the operator,
11 and handlebars for steering control, but excluding an
12 electric bicycle; or

13 (b) A width of fifty inches or less, measured from
14 outside of tire rim to outside of tire rim, regardless of
15 seating or steering arrangement;

16 (3) "Authorized emergency vehicle", a vehicle publicly
17 owned and operated as an ambulance, or a vehicle publicly
18 owned and operated by the state highway patrol, police or
19 fire department, sheriff or constable or deputy sheriff,
20 traffic officer or any privately owned vehicle operated as
21 an ambulance when responding to emergency calls;

22 (4) "Business district", the territory contiguous to
23 and including a highway when within any six hundred feet
24 along the highway there are buildings in use for business or
25 industrial purposes, including but not limited to hotels,
26 banks, or office buildings, railroad stations and public
27 buildings which occupy at least three hundred feet of
28 frontage on one side or three hundred feet collectively on
29 both sides of the highway;

30 (5) "Central business (or traffic) district", all
31 streets and portions of streets within the area described by
32 city ordinance as such;

33 (6) "Commercial vehicle", every vehicle designed,
34 maintained, or used primarily for the transportation of
35 property;

36 (7) "Controlled access highway", every highway, street
37 or roadway in respect to which owners or occupants of
38 abutting lands and other persons have no legal right of
39 access to or from the same except at such points only and in
40 such manner as may be determined by the public authority
41 having jurisdiction over the highway, street or roadway;

42 (8) "Crosswalk",

43 (a) That part of a roadway at an intersection included
44 within the connections of the lateral lines of the sidewalks
45 on opposite sides of the highway measured from the curbs, or
46 in the absence of curbs from the edges of the traversable
47 roadway;

48 (b) Any portion of a roadway at an intersection or
49 elsewhere distinctly indicated for pedestrian crossing by
50 lines or other markings on the surface;

51 (9) "Curb loading zone", a space adjacent to a curb
52 reserved for the exclusive use of vehicles during the
53 loading or unloading of passengers or materials;

54 (10) "Driver", every person who drives or is in actual
55 physical control of a vehicle;

56 (11) "Electric bicycle", a bicycle equipped with fully
57 operable pedals, a saddle or seat for the rider, and an
58 electric motor of less than 750 watts that meets the
59 requirements of one of the following three classes:

60 (a) "Class 1 electric bicycle", an electric bicycle
61 equipped with a motor that provides assistance only when the

62 rider is pedaling and that ceases to provide assistance when
63 the bicycle reaches the speed of twenty miles per hour;

64 (b) "Class 2 electric bicycle", an electric bicycle
65 equipped with a motor that may be used exclusively to propel
66 the bicycle and that is not capable of providing assistance
67 when the bicycle reaches the speed of twenty miles per hour;
68 or

69 (c) "Class 3 electric bicycle", an electric bicycle
70 equipped with a motor that provides assistance only when the
71 rider is pedaling and that ceases to provide assistance when
72 the bicycle reaches the speed of twenty-eight miles per hour;

73 (12) "Freight curb loading zone", a space adjacent to
74 a curb for the exclusive use of vehicles during the loading
75 or unloading of freight (or passengers);

76 [(12)] (13) "Highway", the entire width between the
77 boundary lines of every way publicly maintained when any
78 part thereof is open to the use of the public for purposes
79 of vehicular travel;

80 [(13)] (14) "Intersection",

81 (a) The area embraced within the prolongation or
82 connection of the lateral curb lines, or, if none, then the
83 lateral boundary lines of the roadways of two highways which
84 join one another at, or approximately at, right angles, or
85 the area within which vehicles traveling upon different
86 highways joining at any other angle may come in conflict;

87 (b) Where a highway includes two roadways thirty feet
88 or more apart, then every crossing of each roadway of such
89 divided highway by an intersecting highway shall be regarded
90 as a separate intersection. In the event such intersecting
91 highway also includes two roadways thirty feet or more
92 apart, then every crossing of two roadways of such highways
93 shall be regarded as a separate intersection;

94 [(14)] (15) "Laned roadway", a roadway which is
95 divided into two or more clearly marked lanes for vehicular
96 traffic;

97 [(15)] (16) "Motor vehicle", any self-propelled
98 vehicle not operated exclusively upon tracks, except farm
99 tractors, electric bicycles, and motorized bicycles;

100 [(16)] (17) "Motorcycle", every motor vehicle having a
101 seat or saddle for the use of the rider and designed to
102 travel on not more than three wheels in contact with the
103 ground, but excluding an electric bicycle and a tractor;

104 [(17)] (18) "Motorized bicycle", any two-wheeled or
105 three-wheeled device having an automatic transmission and a
106 motor with a cylinder capacity of not more than fifty cubic
107 centimeters, which produces less than three gross brake
108 horsepower, and is capable of propelling the device at a
109 maximum speed of not more than thirty miles per hour on
110 level ground, but excluding an electric bicycle;

111 [(18)] (19) "Official time standard", whenever certain
112 hours are named herein they shall mean standard time or
113 daylight-saving time as may be in current use in the city;

114 [(19)] (20) "Official traffic control devices", all
115 signs, signals, markings and devices not inconsistent with
116 this ordinance placed or erected by authority of a public
117 body or official having jurisdiction, for the purpose of
118 regulating, warning or guiding traffic;

119 [(20)] (21) "Park" or "parking", the standing of a
120 vehicle, whether occupied or not, otherwise than temporarily
121 for the purpose of and while actually engaged in loading or
122 unloading merchandise or passengers;

123 [(21)] (22) "Passenger curb loading zone", a place
124 adjacent to a curb reserved for the exclusive use of
125 vehicles during the loading or unloading of passengers;

126 [(22)] (23) "Pedestrian", any person afoot;

127 [(23)] (24) "Person", every natural person, firm,
128 copartnership, association or corporation;

129 [(24)] (25) "Police officer", every officer of the
130 municipal police department or any officer authorized to
131 direct or regulate traffic or to make arrests for violations
132 of traffic regulations;

133 [(25)] (26) "Private road" or "driveway", every way or
134 place in private ownership and used for vehicular travel by
135 the owner and those having express or implied permission
136 from the owner, but not by other persons;

137 [(26)] (27) "Railroad", a carrier of persons or
138 property upon cars, other than streetcars, operated upon
139 stationary rails;

140 [(27)] (28) "Railroad train", a steam engine, electric
141 or other motor, with or without cars coupled thereto,
142 operated upon rails, except streetcars;

143 [(28)] (29) "Residence district", the territory
144 contiguous to and including a highway not comprising a
145 business district when the property on such highway for a
146 distance of three hundred feet or more is in the main
147 improved with residences or residences and buildings in use
148 for business;

149 [(29)] (30) "Right-of-way", the right of one vehicle
150 or pedestrian to proceed in a lawful manner in preference to
151 another vehicle or pedestrian approaching under such
152 circumstances of direction, speed and proximity as to give
153 rise to danger of collision unless one grants precedence to
154 the other;

155 [(30)] (31) "Roadway", that portion of a highway
156 improved, designed or ordinarily used for vehicular travel,
157 exclusive of the berm or shoulder. In the event a highway
158 includes two or more separate roadways the term "roadway" as

159 used herein shall refer to any such roadway separately but
160 not to all such roadways collectively;

161 [(31)] (32) "Safety zone", the area or space
162 officially set apart within a roadway for the exclusive use
163 of pedestrians and which is protected or is so marked or
164 indicated by adequate signs as to be plainly visible at all
165 times while set apart as a safety zone;

166 [(32)] (33) "Sidewalk", that portion of a street
167 between the curb lines, or the lateral lines of a roadway,
168 and the adjacent property lines, intended for use of
169 pedestrians;

170 [(33)] (34) "Stand" or "standing", the halting of a
171 vehicle, whether occupied or not, otherwise than for the
172 purpose of and while actually engaged in receiving or
173 discharging passengers;

174 [(34)] (35) "Stop", when required, complete cessation
175 from movement;

176 [(35)] (36) "Stop" or "stopping", when prohibited, any
177 halting even momentarily of a vehicle, whether occupied or
178 not, except when necessary to avoid conflict with other
179 traffic or in compliance with the directions of a police
180 officer or traffic control sign or signal;

181 [(36)] (37) "Street" or "highway", the entire width
182 between the lines of every way publicly maintained when any
183 part thereof is open to the uses of the public for purposes
184 of vehicular travel. "State highway", a highway maintained
185 by the state of Missouri as a part of the state highway
186 system;

187 [(37)] (38) "Through highway", every highway or
188 portion thereof on which vehicular traffic is given
189 preferential rights-of-way, and at the entrances to which
190 vehicular traffic from intersecting highways is required by
191 law to yield rights-of-way to vehicles on such through

192 highway in obedience to either a stop sign or a yield sign,
193 when such signs are erected as provided in this ordinance;

194 [(38)] (39) "Traffic", pedestrians, ridden or herded
195 animals, vehicles, streetcars and other conveyances either
196 singly or together while using any highway for purposes of
197 travel;

198 [(39)] (40) "Traffic control signal", any device,
199 whether manually, electrically or mechanically operated, by
200 which traffic is alternately directed to stop and to proceed;

201 [(40)] (41) "Traffic division", the traffic division
202 of the police department of the city, or in the event a
203 traffic division is not established, then said term whenever
204 used herein shall be deemed to refer to the police
205 department of the city;

206 [(41)] (42) "Vehicle", any mechanical device on
207 wheels, designed primarily for use, or used, on highways,
208 except motorized bicycles, electric bicycles, vehicles
209 propelled or drawn by horses or human power, or vehicles
210 used exclusively on fixed rails or tracks, cotton trailers
211 or motorized wheelchairs operated by handicapped persons.

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

4 (1) "All-terrain vehicle", any motorized vehicle
5 manufactured and used exclusively for off-highway use, with
6 an unladen dry weight of one thousand five hundred pounds or
7 less, traveling on three, four or more nonhighway tires,
8 with either:

9 (a) A seat designed to be straddled by the operator,
10 and handlebars for steering control, but excluding an
11 electric bicycle; or

12 (b) A width of fifty inches or less, measured from
13 outside of tire rim to outside of tire rim, regardless of
14 seating or steering arrangement;

15 (2) "Autocycle", a three-wheeled motor vehicle which
16 the drivers and passengers ride in a partially or completely
17 enclosed nonstraddle seating area[, that is designed to be
18 controlled with a steering wheel and pedals,] and that has
19 met applicable Department of Transportation National Highway
20 Traffic Safety Administration requirements or federal
21 motorcycle safety standards;

22 (3) "Automobile transporter", any vehicle combination
23 capable of carrying cargo on the power unit and designed and
24 used for the transport of assembled motor vehicles,
25 including truck camper units;

26 (4) "Axle load", the total load transmitted to the
27 road by all wheels whose centers are included between two
28 parallel transverse vertical planes forty inches apart,
29 extending across the full width of the vehicle;

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

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

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

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

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

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

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

57 (12) "Director" or "director of revenue", the director
58 of the department of revenue;

59 (13) "Driveaway operation":

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

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

72 (c) The movement of a motor vehicle by any person who
73 is lawfully engaged in the business of transporting or
74 delivering vehicles that are not the person's own and
75 vehicles of a type otherwise required to be registered, by
76 the driveaway or towaway methods, from a point of
77 manufacture, assembly or distribution or from the owner of

78 the vehicles to a dealer or sales agent of a manufacturer or
79 to any consignee designated by the shipper or consignor;

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

86 (15) "Electric bicycle", a bicycle equipped with fully
87 operable pedals, a saddle or seat for the rider, and an
88 electric motor of less than 750 watts that meets the
89 requirements of one of the following three classes:

90 (a) "Class 1 electric bicycle", an electric bicycle
91 equipped with a motor that provides assistance only when the
92 rider is pedaling and that ceases to provide assistance when
93 the bicycle reaches the speed of twenty miles per hour;

94 (b) "Class 2 electric bicycle", an electric bicycle
95 equipped with a motor that may be used exclusively to propel
96 the bicycle and that is not capable of providing assistance
97 when the bicycle reaches the speed of twenty miles per hour;
98 or

99 (c) "Class 3 electric bicycle", an electric bicycle
100 equipped with a motor that provides assistance only when the
101 rider is pedaling and that ceases to provide assistance when
102 the bicycle reaches the speed of twenty-eight miles per hour;

103 (16) "Farm tractor", a tractor used exclusively for
104 agricultural purposes;

105 [(16)] (17) "Fleet", any group of ten or more motor
106 vehicles owned by the same owner;

107 [(17)] (18) "Fleet vehicle", a motor vehicle which is
108 included as part of a fleet;

109 [(18)] (19) "Fullmount", a vehicle mounted completely
110 on the frame of either the first or last vehicle in a
111 saddlemount combination;

112 [(19)] (20) "Gross weight", the weight of vehicle
113 and/or vehicle combination without load, plus the weight of
114 any load thereon;

115 [(20)] (21) "Hail-damaged vehicle", any vehicle, the
116 body of which has become dented as the result of the impact
117 of hail;

118 [(21)] (22) "Highway", any public thoroughfare for
119 vehicles, including state roads, county roads and public
120 streets, avenues, boulevards, parkways or alleys in any
121 municipality;

122 [(22)] (23) "Improved highway", a highway which has
123 been paved with gravel, macadam, concrete, brick or asphalt,
124 or surfaced in such a manner that it shall have a hard,
125 smooth surface;

126 [(23)] (24) "Intersecting highway", any highway which
127 joins another, whether or not it crosses the same;

128 [(24)] (25) "Junk vehicle", a vehicle which:

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

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

134 [(25)] (26) "Kit vehicle", a motor vehicle assembled
135 by a person other than a generally recognized manufacturer
136 of motor vehicles by the use of a glider kit or replica
137 purchased from an authorized manufacturer and accompanied by
138 a manufacturer's statement of origin;

139 [(26)] (27) "Land improvement contractors' commercial
140 motor vehicle", any not-for-hire commercial motor vehicle
141 the operation of which is confined to:

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

148 (b) An area that extends not more than a radius of
149 fifty miles from its home base of operations when
150 transporting its owner's machinery, equipment, or auxiliary
151 supplies to or from projects not involving soil and water
152 conservation.

153 Nothing in this subdivision shall be construed to prevent
154 any motor vehicle from being registered as a commercial
155 motor vehicle or local commercial motor vehicle;

156 [(27)] (28) "Local commercial motor vehicle", a
157 commercial motor vehicle whose operations are confined to a
158 municipality and that area extending not more than fifty
159 miles therefrom, or a commercial motor vehicle whose
160 property-carrying operations are confined solely to the
161 transportation of property owned by any person who is the
162 owner or operator of such vehicle to or from a farm owned by
163 such person or under the person's control by virtue of a
164 landlord and tenant lease; provided that any such property
165 transported to any such farm is for use in the operation of
166 such farm;

167 [(28)] (29) "Local log truck", a commercial motor
168 vehicle which is registered pursuant to this chapter to
169 operate as a motor vehicle on the public highways of this
170 state[,]; used exclusively in this state[,]; used to
171 transport harvested forest products[,]; operated solely at a
172 forested site and in an area extending not more than a one
173 hundred fifty mile radius from such site[, carries a load
174 with dimensions not in excess of twenty-five cubic yards per

175 two axles with dual wheels,]; and when operated on the
176 national system of interstate and defense highways described
177 in 23 U.S.C. Section 103, as amended, or outside the one
178 hundred fifty mile radius from such site with an extended
179 distance local log truck permit, [such vehicle shall not
180 exceed the weight limits of section 304.180,] does not have
181 more than four axles, and does not pull a trailer which has
182 more than three axles. Harvesting equipment which is used
183 specifically for cutting, felling, trimming, delimiting,
184 debarking, chipping, skidding, loading, unloading, and
185 stacking may be transported on a local log truck[. A local
186 log truck may not exceed the limits required by law,
187 however, if the truck does exceed such limits as determined
188 by the inspecting officer, then notwithstanding any other
189 provisions of law to the contrary, such truck shall be
190 subject to the weight limits required by such sections as
191 licensed for eighty thousand pounds];

192 [(29)] (30) "Local log truck tractor", a commercial
193 motor vehicle which is registered under this chapter to
194 operate as a motor vehicle on the public highways of this
195 state[,]; used exclusively in this state[,]; used to
196 transport harvested forest products[,]; operated at a
197 forested site and in an area extending not more than a one
198 hundred fifty mile radius from such site[, operates with a
199 weight not exceeding twenty-two thousand four hundred pounds
200 on one axle or with a weight not exceeding forty-four
201 thousand eight hundred pounds on any tandem axle,]; and when
202 operated on the national system of interstate and defense
203 highways described in 23 U.S.C. Section 103, as amended, or
204 outside the one hundred fifty mile radius from such site
205 with an extended distance local log truck permit, [such
206 vehicle does not exceed the weight limits contained in
207 section 304.180, and] does not have more than three axles,

208 and does not pull a trailer which has more than three
209 axles[. Violations of axle weight limitations shall be
210 subject to the load limit penalty as described for in
211 sections 304.180 to 304.220];

212 [(30)] (31) "Local transit bus", a bus whose
213 operations are confined wholly within a municipal
214 corporation, or wholly within a municipal corporation and a
215 commercial zone, as defined in section 390.020, adjacent
216 thereto, forming a part of a public transportation system
217 within such municipal corporation and such municipal
218 corporation and adjacent commercial zone;

219 [(31)] (32) "Log truck", a vehicle which is not a
220 local log truck or local log truck tractor and is used
221 exclusively to transport harvested forest products to and
222 from forested sites which is registered pursuant to this
223 chapter to operate as a motor vehicle on the public highways
224 of this state for the transportation of harvested forest
225 products;

226 [(32)] (33) "Major component parts", the rear clip,
227 cowl, frame, body, cab, front-end assembly, and front clip,
228 as those terms are defined by the director of revenue
229 pursuant to rules and regulations or by illustrations;

230 [(33)] (34) "Manufacturer", any person, firm,
231 corporation or association engaged in the business of
232 manufacturing or assembling motor vehicles, trailers or
233 vessels for sale;

234 [(34)] (35) "Motor change vehicle", a vehicle
235 manufactured prior to August, 1957, which receives a new,
236 rebuilt or used engine, and which used the number stamped on
237 the original engine as the vehicle identification number;

238 [(35)] (36) "Motor vehicle", any self-propelled
239 vehicle not operated exclusively upon tracks, except farm
240 tractors and electric bicycles;

241 [(36)] (37) "Motor vehicle primarily for business
242 use", any vehicle other than a recreational motor vehicle,
243 motorcycle, motortricycle, or any commercial motor vehicle
244 licensed for over twelve thousand pounds:

245 (a) Offered for hire or lease; or

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

248 [(37)] (38) "Motorcycle", a motor vehicle operated on
249 two wheels;

250 [(38)] (39) "Motorized bicycle", any two-wheeled or
251 three-wheeled device having an automatic transmission and a
252 motor with a cylinder capacity of not more than fifty cubic
253 centimeters, which produces less than three gross brake
254 horsepower, and is capable of propelling the device at a
255 maximum speed of not more than thirty miles per hour on
256 level ground, but excluding an electric bicycle;

257 [(39)] (40) "Motortricycle", a motor vehicle upon
258 which the operator straddles or sits astride that is
259 designed to be controlled by handle bars and is operated on
260 three wheels, including a motorcycle while operated with any
261 conveyance, temporary or otherwise, requiring the use of a
262 third wheel, but excluding an electric bicycle. A
263 motortricycle shall not be included in the definition of all-
264 terrain vehicle;

265 [(40)] (41) "Municipality", any city, town or village,
266 whether incorporated or not;

267 [(41)] (42) "Nonresident", a resident of a state or
268 country other than the state of Missouri;

269 [(42)] (43) "Non-USA-std motor vehicle", a motor
270 vehicle not originally manufactured in compliance with
271 United States emissions or safety standards;

272 [(43)] (44) "Operator", any person who operates or
273 drives a motor vehicle;

274 [(44)] (45) "Owner", any person, firm, corporation or
275 association, who holds the legal title to a vehicle or who
276 has executed a buyer's order or retail installment sales
277 contract with a motor vehicle dealer licensed under sections
278 301.550 to 301.580 for the purchase of a vehicle with an
279 immediate right of possession vested in the transferee, or
280 in the event a vehicle is the subject of an agreement for
281 the conditional sale or lease thereof with the right of
282 purchase upon performance of the conditions stated in the
283 agreement and with an immediate right of possession vested
284 in the conditional vendee or lessee, or in the event a
285 mortgagor of a vehicle is entitled to possession, then such
286 conditional vendee or lessee or mortgagor shall be deemed
287 the owner;

288 [(45)] (46) "Public garage", a place of business where
289 motor vehicles are housed, stored, repaired, reconstructed
290 or repainted for persons other than the owners or operators
291 of such place of business;

292 [(46)] (47) "Rebuilder", a business that repairs or
293 rebuilds motor vehicles owned by the rebuilder, but does not
294 include certificated common or contract carriers of persons
295 or property;

296 [(47)] (48) "Reconstructed motor vehicle", a vehicle
297 that is altered from its original construction by the
298 addition or substitution of two or more new or used major
299 component parts, excluding motor vehicles made from all new
300 parts, and new multistage manufactured vehicles;

301 [(48)] (49) "Recreational motor vehicle", any motor
302 vehicle designed, constructed or substantially modified so
303 that it may be used and is used for the purposes of
304 temporary housing quarters, including therein sleeping and
305 eating facilities which are either permanently attached to
306 the motor vehicle or attached to a unit which is securely

307 attached to the motor vehicle. Nothing herein shall prevent
308 any motor vehicle from being registered as a commercial
309 motor vehicle if the motor vehicle could otherwise be so
310 registered;

311 [(49)] (50) "Recreational off-highway vehicle", any
312 motorized vehicle manufactured and used exclusively for off-
313 highway use which is more than fifty inches but no more than
314 eighty inches in width, measured from outside of tire rim to
315 outside of tire rim, with an unladen dry weight of three
316 thousand five hundred pounds or less, traveling on four or
317 more nonhighway tires and which may have access to ATV
318 trails;

319 [(50)] (51) "Recreational trailer", any trailer
320 designed, constructed, or substantially modified so that it
321 may be used and is used for the purpose of temporary housing
322 quarters, including therein sleeping or eating facilities,
323 which can be temporarily attached to a motor vehicle or
324 attached to a unit which is securely attached to a motor
325 vehicle;

326 [(51)] (52) "Rollback or car carrier", any vehicle
327 specifically designed to transport wrecked, disabled or
328 otherwise inoperable vehicles, when the transportation is
329 directly connected to a wrecker or towing service;

330 [(52)] (53) "Saddlemount combination", a combination
331 of vehicles in which a truck or truck tractor tows one or
332 more trucks or truck tractors, each connected by a saddle to
333 the frame or fifth wheel of the vehicle in front of it. The
334 "saddle" is a mechanism that connects the front axle of the
335 towed vehicle to the frame or fifth wheel of the vehicle in
336 front and functions like a fifth wheel kingpin connection.
337 When two vehicles are towed in this manner the combination
338 is called a "double saddlemount combination". When three

339 vehicles are towed in this manner, the combination is called
340 a "triple saddlemount combination";

341 [(53)] (54) "Salvage dealer and dismantler", a
342 business that dismantles used motor vehicles for the sale of
343 the parts thereof, and buys and sells used motor vehicle
344 parts and accessories;

345 [(54)] (55) "Salvage vehicle", a motor vehicle,
346 semitrailer, or house trailer which:

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

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

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

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

363 (e) Is abandoned property which is titled pursuant to
364 section 304.155 or section 304.157 and designated with the
365 words "salvage/abandoned property". The total cost of
366 repairs to rebuild or reconstruct the vehicle shall not
367 include the cost of repairing, replacing, or reinstalling
368 inflatable safety restraints, tires, sound systems, or
369 damage as a result of hail, or any sales tax on parts or
370 materials to rebuild or reconstruct the vehicle. For

371 purposes of this definition, "fair market value" means the
372 retail value of a motor vehicle as:

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

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

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

385 [(55)] (56) "School bus", any motor vehicle used
386 solely to transport students to or from school or to
387 transport students to or from any place for educational
388 purposes;

389 [(56)] (57) "Scrap processor", a business that,
390 through the use of fixed or mobile equipment, flattens,
391 crushes, or otherwise accepts motor vehicles and vehicle
392 parts for processing or transportation to a shredder or
393 scrap metal operator for recycling;

394 [(57)] (58) "Shuttle bus", a motor vehicle used or
395 maintained by any person, firm, or corporation as an
396 incidental service to transport patrons or customers of the
397 regular business of such person, firm, or corporation to and
398 from the place of business of the person, firm, or
399 corporation providing the service at no fee or charge.
400 Shuttle buses shall not be registered as buses or as
401 commercial motor vehicles;

402 [(58)] (59) "Special mobile equipment", every self-
403 propelled vehicle not designed or used primarily for the

404 transportation of persons or property and incidentally
405 operated or moved over the highways, including farm
406 equipment, implements of husbandry, road construction or
407 maintenance machinery, ditch-digging apparatus, stone
408 crushers, air compressors, power shovels, cranes, graders,
409 rollers, well-drillers and wood-sawing equipment used for
410 hire, asphalt spreaders, bituminous mixers, bucket loaders,
411 ditchers, leveling graders, finished machines, motor
412 graders, road rollers, scarifiers, earth-moving carryalls,
413 scrapers, drag lines, concrete pump trucks, rock-drilling
414 and earth-moving equipment. This enumeration shall be
415 deemed partial and shall not operate to exclude other such
416 vehicles which are within the general terms of this section;

417 [(59)] (60) "Specially constructed motor vehicle", a
418 motor vehicle which shall not have been originally
419 constructed under a distinctive name, make, model or type by
420 a manufacturer of motor vehicles. The term specially
421 constructed motor vehicle includes kit vehicles;

422 [(60)] (61) "Stinger-steered combination", a truck
423 tractor-semitrailer wherein the fifth wheel is located on a
424 drop frame located behind and below the rearmost axle of the
425 power unit;

426 [(61)] (62) "Tandem axle", a group of two or more
427 axles, arranged one behind another, the distance between the
428 extremes of which is more than forty inches and not more
429 than ninety-six inches apart;

430 [(62)] (63) "Towaway trailer transporter combination",
431 a combination of vehicles consisting of a trailer
432 transporter towing unit and two trailers or semitrailers,
433 with a total weight that does not exceed twenty-six thousand
434 pounds; and in which the trailers or semitrailers carry no
435 property and constitute inventory property of a

436 manufacturer, distributor, or dealer of such trailers or
437 semitrailers;

438 [(63)] (64) "Tractor", "truck tractor" or "truck-
439 tractor", a self-propelled motor vehicle designed for
440 drawing other vehicles, but not for the carriage of any load
441 when operating independently. When attached to a
442 semitrailer, it supports a part of the weight thereof;

443 [(64)] (65) "Trailer", any vehicle without motive
444 power designed for carrying property or passengers on its
445 own structure and for being drawn by a self-propelled
446 vehicle, except those running exclusively on tracks,
447 including a semitrailer or vehicle of the trailer type so
448 designed and used in conjunction with a self-propelled
449 vehicle that a considerable part of its own weight rests
450 upon and is carried by the towing vehicle. The term trailer
451 shall not include cotton trailers as defined in this section
452 and shall not include manufactured homes as defined in
453 section 700.010;

454 [(65)] (66) "Trailer transporter towing unit", a power
455 unit that is not used to carry property when operating in a
456 towaway trailer transporter combination;

457 [(66)] (67) "Truck", a motor vehicle designed, used,
458 or maintained for the transportation of property;

459 [(67)] (68) "Truck-tractor semitrailer-semitrailer", a
460 combination vehicle in which the two trailing units are
461 connected with a B-train assembly which is a rigid frame
462 extension attached to the rear frame of a first semitrailer
463 which allows for a fifth-wheel connection point for the
464 second semitrailer and has one less articulation point than
465 the conventional A-dolly connected truck-tractor semitrailer-
466 trailer combination;

467 [(68)] (69) "Truck-trailer boat transporter
468 combination", a boat transporter combination consisting of a

469 straight truck towing a trailer using typically a ball and
470 socket connection with the trailer axle located
471 substantially at the trailer center of gravity rather than
472 the rear of the trailer but so as to maintain a downward
473 force on the trailer tongue;

474 [(69)] (70) "Used parts dealer", a business that buys
475 and sells used motor vehicle parts or accessories, but not
476 including a business that sells only new, remanufactured or
477 rebuilt parts. Business does not include isolated sales at
478 a swap meet of less than three days;

479 [(70)] (71) "Utility vehicle", any motorized vehicle
480 manufactured and used exclusively for off-highway use which
481 is more than fifty inches but no more than eighty inches in
482 width, measured from outside of tire rim to outside of tire
483 rim, with an unladen dry weight of three thousand five
484 hundred pounds or less, traveling on four or six wheels, to
485 be used primarily for landscaping, lawn care, or maintenance
486 purposes;

487 [(71)] (72) "Vanpool", any van or other motor vehicle
488 used or maintained by any person, group, firm, corporation,
489 association, city, county or state agency, or any member
490 thereof, for the transportation of not less than eight nor
491 more than forty-eight employees, per motor vehicle, to and
492 from their place of employment; however, a vanpool shall not
493 be included in the definition of the term bus or commercial
494 motor vehicle as defined in this section, nor shall a
495 vanpool driver be deemed a chauffeur as that term is defined
496 by section 303.020; nor shall use of a vanpool vehicle for
497 ride-sharing arrangements, recreational, personal, or
498 maintenance uses constitute an unlicensed use of the motor
499 vehicle, unless used for monetary profit other than for use
500 in a ride-sharing arrangement;

501 [(72)] (73) "Vehicle", any mechanical device on
502 wheels, designed primarily for use, or used, on highways,
503 except motorized bicycles, electric bicycles, vehicles
504 propelled or drawn by horses or human power, or vehicles
505 used exclusively on fixed rails or tracks, or cotton
506 trailers or motorized wheelchairs operated by handicapped
507 persons;

508 [(73)] (74) "Wrecker" or "tow truck", any emergency
509 commercial vehicle equipped, designed and used to assist or
510 render aid and transport or tow disabled or wrecked vehicles
511 from a highway, road, street or highway rights-of-way to a
512 point of storage or repair, including towing a replacement
513 vehicle to replace a disabled or wrecked vehicle;

514 [(74)] (75) "Wrecker or towing service", the act of
515 transporting, towing or recovering with a wrecker, tow
516 truck, rollback or car carrier any vehicle not owned by the
517 operator of the wrecker, tow truck, rollback or car carrier
518 for which the operator directly or indirectly receives
519 compensation or other personal gain.

301.033. 1. Notwithstanding the provisions of
2 sections 301.030 and 301.035 to the contrary, the director
3 of revenue shall establish a system of registration on a
4 calendar year basis of all farm vehicles, as defined in
5 section 302.700, owned or purchased by a farm vehicle fleet
6 owner registered under this section. The director of
7 revenue shall prescribe the forms for such farm vehicle
8 fleet registration and the forms and procedures for the
9 registration updates prescribed in this section. Any owner
10 of more than one farm vehicle which is required to be
11 registered under this chapter may, at his or her option,
12 register a fleet of farm vehicles on a calendar year or
13 biennial basis under this section in lieu of the
14 registration periods provided in sections 301.030, 301.035,

15 and 301.147. The director shall issue an identification
16 number to each registered owner of a fleet of farm vehicles
17 registered under this section.

18 2. All farm vehicles included in the fleet of a
19 registered farm vehicle fleet owner shall be registered
20 during April of the corresponding year or on a prorated
21 basis as provided in subsection 3 of this section. Fees of
22 all vehicles in the farm vehicle fleet to be registered on a
23 calendar year basis or on a biennial basis shall be payable
24 not later than the last day of April of the corresponding
25 year, with two years' fees due for biennially-registered
26 vehicles. Notwithstanding the provisions of section
27 307.355, an application for registration of a farm vehicle
28 fleet shall be accompanied by a certificate of inspection
29 and approval issued no more than one hundred twenty days
30 prior to the date of application. The fees for vehicles
31 added to the farm vehicle fleet which are required to be
32 licensed at the time of registration shall be payable at the
33 time of registration, except that when such vehicle is
34 licensed between July first and September thirtieth the fee
35 shall be three-fourths the annual fee, when licensed between
36 October first and December thirty-first the fee shall be one-
37 half the annual fee, and when licensed on or after January
38 first the fee shall be one-fourth the annual fee. If
39 biennial registration is sought for vehicles added to a farm
40 vehicle fleet, an additional year's annual fee shall be
41 added to the partial year's prorated fee.

42 3. At any time during the calendar year in which an
43 owner of a farm vehicle fleet purchases or otherwise
44 acquires a farm vehicle which is to be added to the farm
45 vehicle fleet or transfers plates to a fleet vehicle, the
46 owner shall present to the director of revenue the
47 identification number as a fleet number and may register the

48 vehicle for the partial year as provided in subsection 2 of
49 this section. The farm vehicle fleet owner shall also be
50 charged a transfer fee of two dollars for each vehicle so
51 transferred under this subsection.

52 4. Except as specifically provided in this subsection,
53 all farm vehicles registered under this section shall be
54 issued a special license plate which shall have the words
55 "Farm Fleet Vehicle" and shall meet the requirements
56 prescribed by section 301.130. Farm fleet vehicles shall be
57 issued multiyear license plates as provided in this section
58 which shall not require issuance of a renewal tab. Upon
59 payment of appropriate registration fees, the director of
60 revenue shall issue a registration certificate or other
61 suitable evidence of payment of the annual or biennial fee,
62 and such evidence of payment shall be carried at all times
63 in the vehicle for which it is issued.

64 5. The director shall make all necessary rules and
65 regulations for the administration of this section and shall
66 design all necessary forms required by this section. Any
67 rule or portion of a rule, as that term is defined in
68 section 536.010, that is created under the authority
69 delegated in this section shall become effective only if it
70 complies with and is subject to all the provisions of
71 chapter 536 and, if applicable, section 536.028. This
72 section and chapter 536 are nonseverable, and if any of the
73 powers vested with the general assembly under chapter 536 to
74 review, to delay the effective date, or to disapprove and
75 annul a rule are subsequently held unconstitutional, then
76 the grant of rulemaking authority and any rule proposed or
77 adopted after August 28, 2021, shall be invalid and void.

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

4 2. A local log truck may receive an extended distance
5 local log truck permit for an additional fee of three
6 hundred dollars. A local log truck with an extended
7 distance local log truck permit shall be allowed to
8 transport harvested or processed forest products outside of
9 the [one hundred mile] radius from the forested site
10 specified in section 301.010 at the weight limits for
11 commercial vehicles specified in section 304.180. For the
12 purposes of this section, "processed forest products" shall
13 mean wood products that are produced from the initial
14 processing of a round log and have received no additional
15 manufacturing or packaging to prepare the material for any
16 retail market including, but not limited to, sawdust, wood
17 chips, bark, slabs, and green square edged lumber products.

 301.147. 1. Notwithstanding the provisions of section
2 301.020 to the contrary, beginning July 1, 2000, the
3 director of revenue may provide owners of motor vehicles,
4 other than commercial motor vehicles licensed in excess of
5 fifty-four thousand pounds gross weight, the option of
6 biennially registering motor vehicles[. Any vehicle
7 manufactured as an even-numbered model year vehicle shall be
8 renewed each even-numbered calendar year and any such
9 vehicle manufactured as an odd-numbered model year vehicle
10 shall be renewed each odd-numbered calendar year], subject
11 to the following requirements:

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

16 (2) Presentation of all documentation otherwise
17 required by law for vehicle registration including, but not
18 limited to, a personal property tax receipt or certified
19 statement for the preceding year that no such taxes were due

20 as set forth in section 301.025, proof of a motor vehicle
21 safety inspection and any applicable emission inspection
22 conducted within sixty days prior to the date of application
23 and proof of insurance as required by section 303.026.

24 2. The director of revenue may prescribe rules and
25 regulations for the effective administration of this
26 section. The director is authorized to adopt those rules
27 that are reasonable and necessary to accomplish the limited
28 duties specifically delegated within this section. Any rule
29 or portion of a rule, as that term is defined in section
30 536.010, that is promulgated pursuant to the authority
31 delegated in this section shall become effective only if it
32 has been promulgated pursuant to the provisions of chapter
33 536. This section and chapter 536 are nonseverable and if
34 any of the powers vested with the general assembly pursuant
35 to chapter 536 to review, to delay the effective date or to
36 disapprove and annul a rule are subsequently held
37 unconstitutional, then the grant of rulemaking authority and
38 any rule proposed or adopted after July 1, 2000, shall be
39 invalid and void.

40 3. The director of revenue shall have the authority to
41 stagger the registration period of motor vehicles other than
42 commercial motor vehicles licensed in excess of twelve
43 thousand pounds gross weight. Once the owner of a motor
44 vehicle chooses the option of biennial registration, such
45 registration must be maintained for the full twenty-four
46 month period.

301.192. 1. In addition to any other requirements of
2 section 301.190, when application is made for a certificate
3 of ownership for a motor vehicle or trailer seven years old
4 or older and the value of vehicle does not exceed three
5 thousand dollars, for which no record of any prior
6 application for a certificate of ownership exists in the

7 records of the director of revenue or for which the records
8 of the director of revenue reflect incomplete or conflicting
9 documentation of ownership, the director of revenue may
10 issue a certificate of ownership, not less than thirty days
11 after receiving the completed application, provided it is
12 accompanied by:

13 (1) An affidavit explaining how the motor vehicle or
14 trailer was acquired and the reasons a valid certificate of
15 ownership cannot be furnished;

16 (2) Presentation of all evidence of ownership in the
17 applicant's possession;

18 (3) Title verification from a state in which the
19 vehicle was previously titled or registered if known,
20 provided the vehicle was so previously titled or registered;

21 (4) A notarized lien release from any lienholder of
22 record;

23 (5) A vehicle examination certificate issued by the
24 Missouri state highway patrol, or other law enforcement
25 agency as authorized by the director of revenue. The
26 vehicle examination shall include a verification of the
27 vehicle's identification number and a determination that the
28 vehicle has not been reported stolen in Missouri or any
29 other state. The fee for the vehicle examination
30 certificate shall be twenty-five dollars and shall be
31 collected by the director of revenue at the time of the
32 request for the application;

33 (6) A statement certifying the odometer reading of the
34 motor vehicle if the motor vehicle has a model year of 2011
35 or new and is less than [ten] twenty years of age; and

36 (7) A surety bond or a suitable financial security
37 instrument in a form prescribed by the director of revenue
38 and executed by the applicant and a person authorized to
39 conduct surety business in this state. The bond shall be an

40 amount equal to two times the value of the vehicle as
41 determined by the Kelly Blue Book, NADA Used Car Guide or
42 two appraisals from a licensed motor vehicle dealer. The
43 bond shall be for a minimum of one hundred dollars and
44 conditioned to indemnify any prior owner or lienholder and
45 any subsequent purchaser of the vehicle or person acquiring
46 any security interest in it, and their respective successors
47 in interest, against any expense, loss or damage including
48 reasonable attorneys fees, by reason of the issuance of the
49 certificate of ownership of the vehicle or on account of any
50 defect in or undisclosed security interest upon the right,
51 title and interest of the applicant in and to the vehicle.
52 Any such interested person has a right of action to recover
53 on the bond for any breach of its conditions, but the
54 aggregate liability of the surety to all persons shall not
55 exceed the amount of the bond. The bond shall be returned
56 at the end of three years, unless the department has been
57 notified of the pendency of an action to recover on the bond.

58 2. Upon satisfaction with the genuineness of the
59 application and supporting documents, the director of
60 revenue shall issue a new certificate of ownership. The
61 certificate of ownership shall appropriately be designated
62 with the words "BONDED VEHICLE".

301.280. 1. Every motor vehicle dealer and boat
2 dealer shall make a monthly report to the department of
3 revenue, on blanks to be prescribed by the department of
4 revenue, giving the following information: date of the sale
5 of each motor vehicle, boat, trailer and all-terrain vehicle
6 sold; the name and address of the buyer; the name of the
7 manufacturer; year of manufacture; model of vehicle; vehicle
8 identification number; style of vehicle; odometer setting;
9 and it shall also state whether the motor vehicle, boat,
10 trailer or all-terrain vehicle is new or secondhand. Each

11 monthly sales report filed by a motor vehicle dealer who
12 collects sales tax under subsection 10 of section 144.070
13 shall also include the amount of state and local sales tax
14 collected for each motor vehicle sold if sales tax was due.
15 The odometer reading is not required when reporting the sale
16 of any motor vehicle with a model year prior to 2011, any
17 motor vehicle that is [ten] twenty years old or older, any
18 motor vehicle having a gross vehicle weight rating of more
19 than sixteen thousand pounds, new vehicles that are
20 transferred on a manufacturer's statement of origin between
21 one franchised motor vehicle dealer and another, or boats,
22 all-terrain vehicles or trailers. The sale of all temporary
23 permits shall be recorded in the appropriate space on the
24 dealer's monthly sales report, unless the sale of the
25 temporary permit is already recorded by electronic means as
26 determined by the department. The monthly sales report
27 shall include a statement of motor vehicles or trailers sold
28 during the month under subsection 5 of section 301.210. The
29 monthly sales report shall be completed in full and signed
30 by an officer, partner, or owner of the dealership, and
31 actually received by the department of revenue on or before
32 the fifteenth day of the month succeeding the month for
33 which the sales are being reported. If no sales occur in
34 any given month, a report shall be submitted for that month
35 indicating no sales. Any vehicle dealer who fails to file a
36 monthly report or who fails to file a timely report shall be
37 subject to disciplinary action as prescribed in section
38 301.562 or a penalty assessed by the director not to exceed
39 three hundred dollars per violation. Every motor vehicle
40 and boat dealer shall retain copies of the monthly sales
41 report as part of the records to be maintained at the
42 dealership location and shall hold them available for
43 inspection by appropriate law enforcement officials and

44 officials of the department of revenue. Every vehicle
45 dealer selling twenty or more vehicles a month shall file
46 the monthly sales report with the department in an
47 electronic format. Any dealer filing a monthly sales report
48 in an electronic format shall be exempt from filing the
49 notice of transfer required by section 301.196. For any
50 dealer not filing electronically, the notice of transfer
51 required by section 301.196 shall be submitted with the
52 monthly sales report as prescribed by the director.

53 2. Every dealer and every person operating a public
54 garage shall keep a correct record of the vehicle
55 identification number, odometer setting, manufacturer's name
56 of all motor vehicles or trailers accepted by him for the
57 purpose of sale, rental, storage, repair or repainting,
58 together with the name and address of the person delivering
59 such motor vehicle or trailer to the dealer or public garage
60 keeper, and the person delivering such motor vehicle or
61 trailer shall record such information in a file kept by the
62 dealer or garage keeper. The record shall be kept for five
63 years and be open for inspection by law enforcement
64 officials, members or authorized or designated employees of
65 the Missouri highway patrol, and persons, agencies and
66 officials designated by the director of revenue.

67 3. Every dealer and every person operating a public
68 garage in which a motor vehicle remains unclaimed for a
69 period of fifteen days shall, within five days after the
70 expiration of that period, report the motor vehicle as
71 unclaimed to the director of revenue. Such report shall be
72 on a form prescribed by the director of revenue. A motor
73 vehicle left by its owner whose name and address are known
74 to the dealer or his employee or person operating a public
75 garage or his employee is not considered unclaimed. Any
76 dealer or person operating a public garage who fails to

77 report a motor vehicle as unclaimed as herein required
78 forfeits all claims and liens for its garaging, parking or
79 storing.

80 4. The director of revenue shall maintain
81 appropriately indexed cumulative records of unclaimed
82 vehicles reported to the director. Such records shall be
83 kept open to public inspection during reasonable business
84 hours.

85 5. The alteration or obliteration of the vehicle
86 identification number on any such motor vehicle shall be
87 prima facie evidence of larceny, and the dealer or person
88 operating such public garage shall upon the discovery of
89 such obliteration or alteration immediately notify the
90 highway patrol, sheriff, marshal, constable or chief of
91 police of the municipality where the dealer or garage keeper
92 has his place of business, and shall hold such motor vehicle
93 or trailer for a period of forty-eight hours for the purpose
94 of an investigation by the officer so notified.

95 6. Any person who knowingly makes a false statement or
96 omission of a material fact in a monthly sales report to the
97 department of revenue, as described in subsection 1 of this
98 section, shall be deemed guilty of a class A misdemeanor.

301.558. 1. A motor vehicle dealer, boat dealer, or
2 powersport dealer may fill in the blanks on standardized
3 forms in connection with the sale or lease of a new or used
4 motor vehicle, vessel, or vessel trailer if the motor
5 vehicle dealer, boat dealer, or powersport dealer does not
6 charge for the services of filling in the blanks or
7 otherwise charge for preparing documents.

8 2. A motor vehicle dealer, boat dealer, or powersport
9 dealer may charge an administrative fee in connection with
10 the sale or lease of a new or used motor vehicle, vessel, or
11 vessel trailer for the storage of documents or any other

12 administrative or clerical services not prohibited by this
13 section. A portion of the administrative fee may result in
14 profit to the motor vehicle dealer, boat dealer, or
15 powersport dealer.

16 3. (1) Ten percent of any fee authorized under this
17 section and charged by motor vehicle dealers shall be
18 remitted to the motor vehicle administration technology fund
19 established in this subsection, for the development of the
20 system specified in this subsection. Following the
21 development of the system specified in this subsection, the
22 director of the department of revenue shall notify motor
23 vehicle dealers and implement the system, and the percentage
24 of any fee authorized under this section required to be
25 remitted to the fund shall be reduced to one percent, which
26 shall be used for maintenance of the system. This
27 subsection shall expire on January 1, 2037.

28 (2) There is hereby created in the state treasury the
29 "Motor Vehicle Administration Technology Fund", which shall
30 consist of money collected as specified in this subsection.
31 The state treasurer shall be custodian of the fund. In
32 accordance with sections 30.170 and 30.180, the state
33 treasurer may approve disbursements. The fund shall be a
34 dedicated fund and money in the fund shall be used solely by
35 the department of revenue for the purpose of development and
36 maintenance of a modernized, integrated system for the
37 titling of vehicles, issuance and renewal of vehicle
38 registrations, issuance and renewal of driver's licenses and
39 identification cards, and perfection and release of liens
40 and encumbrances on vehicles.

41 (3) Notwithstanding the provisions of section 33.080
42 to the contrary, any moneys remaining in the fund at the end
43 of the biennium shall not revert to the credit of the
44 general revenue fund.

45 (4) The state treasurer shall invest moneys in the
46 fund in the same manner as other funds are invested. Any
47 interest and moneys earned on such investments shall be
48 credited to the fund.

49 4. No motor vehicle dealer, boat dealer, or powersport
50 dealer that sells or leases new or used motor vehicles,
51 vessels, or vessel trailers and imposes an administrative
52 fee of [less than two] five hundred dollars or less in
53 connection with the sale or lease of a new or used vehicle,
54 vessel, or vessel trailer for the storage of documents or
55 any other administrative or clerical services shall be
56 deemed to be engaging in the unauthorized practice of law.
57 The maximum administrative fee permitted under this
58 subsection shall be increased annually by an amount equal to
59 the percentage change in the annual average of the Consumer
60 Price Index for All Urban Consumers or its successor index,
61 as reported by the federal Bureau of Labor Statistics or its
62 successor agency, or by zero, whichever is greater. The
63 director of the department of revenue shall annually furnish
64 the maximum administrative fee determined under this section
65 to the secretary of state, who shall publish such value in
66 the Missouri register as soon as practicable after January
67 fourteenth of each year.

68 [4.] 5. If an administrative fee is charged under this
69 section, the same administrative fee shall be charged to all
70 retail customers [and] unless the fee is limited by the
71 dealer's franchise agreement to certain classes of
72 customers. The fee shall be disclosed on the retail buyer's
73 order form as a separate itemized charge.

74 [5.] 6. A preliminary worksheet on which a sale price
75 is computed and that is shown to the purchaser, a retail
76 buyer's order form from the purchaser, or a retail
77 installment contract shall include, in reasonable proximity

78 to the place on the document where the administrative fee
79 authorized by this section is disclosed, the amount of the
80 administrative fee and the following notice in type that is
81 boldfaced, capitalized, underlined, or otherwise
82 conspicuously set out from the surrounding written material:

83 "AN ADMINISTRATIVE FEE IS NOT AN OFFICIAL FEE
84 AND IS NOT REQUIRED BY LAW BUT MAY BE CHARGED BY
85 A DEALER. THIS ADMINISTRATIVE FEE MAY RESULT IN
86 A PROFIT TO DEALER. NO PORTION OF THIS
87 ADMINISTRATIVE FEE IS FOR THE DRAFTING,
88 PREPARATION, OR COMPLETION OF DOCUMENTS OR THE
89 PROVIDING OF LEGAL ADVICE. THIS NOTICE IS
90 REQUIRED BY LAW."

91 [6.] 7. The general assembly believes that an
92 administrative fee charged in compliance with this section
93 is not the unauthorized practice of law or the unauthorized
94 business of law so long as the activity or service for which
95 the fee is charged is in compliance with the provisions of
96 this section and does not result in the waiver of any rights
97 or remedies. Recognizing, however, that the judiciary is
98 the sole arbitrator of what constitutes the practice of law,
99 in the event that a court determines that an administrative
100 fee charged in compliance with this section, and that does
101 not waive any rights or remedies of the buyer, is the
102 unauthorized practice of law or the unauthorized business of
103 law, then no person who paid that administrative fee may
104 recover said fee or treble damages, as permitted under
105 section 484.020, and no person who charged that fee shall be
106 guilty of a misdemeanor, as provided under section 484.020.

302.010. Except where otherwise provided, when used in
2 this chapter, the following words and phrases mean:

3 (1) "Circuit court", each circuit court in the state;

4 (2) "Commercial motor vehicle", a motor vehicle
5 designed or regularly used for carrying freight and
6 merchandise, or more than fifteen passengers;

7 (3) "Conviction", any final conviction; also a
8 forfeiture of bail or collateral deposited to secure a
9 defendant's appearance in court, which forfeiture has not
10 been vacated, shall be equivalent to a conviction, except
11 that when any conviction as a result of which points are
12 assessed pursuant to section 302.302 is appealed, the term
13 "conviction" means the original judgment of conviction for
14 the purpose of determining the assessment of points, and the
15 date of final judgment affirming the conviction shall be the
16 date determining the beginning of any license suspension or
17 revocation pursuant to section 302.304;

18 (4) "Criminal history check", a search of criminal
19 records, including criminal history record information as
20 defined in section 43.500, maintained by the Missouri state
21 highway patrol in the Missouri criminal records repository
22 or by the Federal Bureau of Investigation as part of its
23 criminal history records, including, but not limited to, any
24 record of conviction, plea of guilty or nolo contendere, or
25 finding of guilty in any state for any offense related to
26 alcohol, controlled substances, or drugs;

27 (5) "Director", the director of revenue acting
28 directly or through the director's authorized officers and
29 agents;

30 (6) "Farm tractor", every motor vehicle designed and
31 used primarily as a farm implement for drawing plows, mowing
32 machines and other implements of husbandry;

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

36 (8) "Incompetent to drive a motor vehicle", a person
37 who has become physically incapable of meeting the
38 prescribed requirements of an examination for an operator's
39 license, or who has been adjudged by a probate division of
40 the circuit court in a capacity hearing of being
41 incapacitated;

42 (9) "License", a license issued by a state to a person
43 which authorizes a person to operate a motor vehicle;

44 (10) "Motor vehicle", any self-propelled vehicle not
45 operated exclusively upon tracks except motorized bicycles,
46 as defined in section 307.180 and electric bicycles, as
47 defined in section 301.010;

48 (11) "Motorcycle", a motor vehicle operated on two
49 wheels; however, this definition shall not include motorized
50 bicycles or electric bicycles as such terms are defined in
51 section 301.010;

52 (12) "Motortricycle", a motor vehicle operated on
53 three wheels, including a motorcycle operated with any
54 conveyance, temporary or otherwise, requiring the use of a
55 third wheel, but excluding an electric bicycle as defined in
56 section 301.010;

57 (13) "Moving violation", that character of traffic
58 violation where at the time of violation the motor vehicle
59 involved is in motion, except that the term does not include
60 the driving of a motor vehicle without a valid motor vehicle
61 registration license, or violations of sections 304.170 to
62 304.240, inclusive, relating to sizes and weights of
63 vehicles;

64 (14) "Municipal court", every division of the circuit
65 court having original jurisdiction to try persons for
66 violations of city ordinances;

67 (15) "Nonresident", every person who is not a resident
68 of this state;

69 (16) "Operator", every person who is in actual
70 physical control of a motor vehicle upon a highway;

71 (17) "Owner", a person who holds the legal title of a
72 vehicle or in the event a vehicle is the subject of an
73 agreement for the conditional sale or lease thereof with the
74 right of purchase upon performance of the conditions stated
75 in the agreement and with an immediate right of possession
76 vested in the conditional vendee or lessee, or in the event
77 a mortgagor of a vehicle is entitled to possession, then
78 such conditional vendee or lessee or mortgagor shall be
79 deemed the owner for the purpose of sections 302.010 to
80 302.540;

81 (18) "Record" includes, but is not limited to, papers,
82 documents, facsimile information, microphotographic process,
83 electronically generated or electronically recorded
84 information, digitized images, deposited or filed with the
85 department of revenue;

86 (19) "Residence address", "residence", or "resident
87 address" shall be the location at which a person has been
88 physically present, and that the person regards as home. A
89 residence address is a person's true, fixed, principal, and
90 permanent home, to which a person intends to return and
91 remain, even though currently residing elsewhere;

92 (20) "Restricted driving privilege", a sixty-day
93 driving privilege issued by the director of revenue
94 following a suspension of driving privileges for the limited
95 purpose of driving in connection with the driver's business,
96 occupation, employment, formal program of secondary,
97 postsecondary or higher education, or for an alcohol
98 education or treatment program or certified ignition
99 interlock provider, or a ninety-day interlock restricted
100 privilege issued by the director of revenue for the limited
101 purpose of driving in connection with the driver's business,

102 occupation, employment, seeking medical treatment for such
103 driver or a dependent family member, attending school or
104 other institution of higher education, attending alcohol- or
105 drug-treatment programs, seeking the required services of a
106 certified ignition interlock provider, fulfilling court
107 obligations, including required appearances and probation
108 and parole obligations, religious services, the care of a
109 child or children, including scheduled visitation or
110 custodial obligations pursuant to a court order, fueling
111 requirements for any vehicle utilized, and seeking basic
112 nutritional requirements;

113 (21) "School bus", when used in sections 302.010 to
114 302.540, means any motor vehicle, either publicly or
115 privately owned, used to transport students to and from
116 school, or to transport pupils properly chaperoned to and
117 from any place within the state for educational purposes.
118 The term "school bus" shall not include a bus operated by a
119 public utility, municipal corporation or common carrier
120 authorized to conduct local or interstate transportation of
121 passengers when such bus is not traveling a specific school
122 bus route but is:

123 (a) On a regularly scheduled route for the
124 transportation of fare-paying passengers; or

125 (b) Furnishing charter service for the transportation
126 of persons enrolled as students on field trips or other
127 special trips or in connection with other special events;

128 (22) "School bus operator", an operator who operates a
129 school bus as defined in subdivision (21) of this section in
130 the transportation of any schoolchildren and who receives
131 compensation for such service. The term "school bus
132 operator" shall not include any person who transports
133 schoolchildren as an incident to employment with a school or
134 school district, such as a teacher, coach, administrator,

135 secretary, school nurse, or janitor unless such person is
136 under contract with or employed by a school or school
137 district as a school bus operator;

138 (23) "Signature", any method determined by the
139 director of revenue for the signing, subscribing or
140 verifying of a record, report, application, driver's
141 license, or other related document that shall have the same
142 validity and consequences as the actual signing by the
143 person providing the record, report, application, driver's
144 license or related document;

145 (24) "Substance abuse traffic offender program", a
146 program certified by the division of alcohol and drug abuse
147 of the department of mental health to provide education or
148 rehabilitation services pursuant to a professional
149 assessment screening to identify the individual needs of the
150 person who has been referred to the program as the result of
151 an alcohol- or drug-related traffic offense. Successful
152 completion of such a program includes participation in any
153 education or rehabilitation program required to meet the
154 needs identified in the assessment screening. The
155 assignment recommendations based upon such assessment shall
156 be subject to judicial review as provided in subsection 14
157 of section 302.304 and subsections 1 and 5 of section
158 302.540;

159 (25) "Vehicle", any mechanical device on wheels,
160 designed primarily for use, or used on highways, except
161 motorized bicycles, electric bicycles, vehicles propelled or
162 drawn by horses or human power, or vehicles used exclusively
163 on fixed rails or tracks, or cotton trailers or motorized
164 wheelchairs operated by handicapped persons.

302.341. 1. If a Missouri resident charged with a
2 moving traffic violation of this state or any county or
3 municipality of this state fails to dispose of the charges

4 of which the resident is accused through authorized
5 prepayment of fine and court costs and fails to appear on
6 the return date or at any subsequent date to which the case
7 has been continued, or without good cause fails to pay any
8 fine or court costs assessed against the resident for any
9 such violation within the period of time specified or in
10 such installments as approved by the court or as otherwise
11 provided by law, any court having jurisdiction over the
12 charges shall within ten days of the failure to comply
13 inform the defendant by ordinary mail at the last address
14 shown on the court records that the court [will] may order
15 the director of revenue to suspend the defendant's driving
16 privileges if the charges are not disposed of and fully paid
17 within thirty days from the date of mailing. Thereafter, if
18 the defendant fails to timely act to dispose of the charges
19 and fully pay any applicable fines and court costs, the
20 court [shall] may notify the director of revenue of such
21 failure and of the pending charges against the defendant.
22 Upon receipt of this notification, the director shall
23 suspend the license of the driver, effective immediately,
24 and provide notice of the suspension to the driver at the
25 last address for the driver shown on the records of the
26 department of revenue. Such suspension shall remain in
27 effect until the court with the subject pending charge
28 requests setting aside the noncompliance suspension pending
29 final disposition, or satisfactory evidence of disposition
30 of pending charges and payment of fine and court costs, if
31 applicable, is furnished to the director by the individual.
32 The filing of financial responsibility with the [bureau of
33 safety responsibility,] department of revenue[,] shall not
34 be required as a condition of reinstatement of a driver's
35 license suspended solely under the provisions of this
36 [section] subsection.

37 2. The provisions of subsection 1 of this section
38 shall not apply to minor traffic violations as defined in
39 section 479.350; however, minor traffic violations shall be
40 subject to subsection 3 of this section.

41 3. If a Missouri resident charged with a minor traffic
42 violation of this state or any county or municipality of
43 this state fails to dispose of the charges of which the
44 resident is accused through authorized prepayment of fine
45 and court costs and fails to appear on two return dates, or
46 without good cause fails to pay any fine or court costs
47 assessed against the resident for any such violation within
48 the period of time specified or in such installments as
49 approved by the court or as otherwise provided by law, any
50 court having jurisdiction over the charges shall, within ten
51 days of the failure to comply, inform the defendant by
52 ordinary mail at the last address shown on the court records
53 that the court may order the director of revenue to suspend
54 the defendant's driving privileges if the charges are not
55 disposed of and fully paid within thirty days from the date
56 of mailing. Thereafter, if the defendant fails to timely
57 act to dispose of the charges and fully pay any applicable
58 finest and court costs, the court may notify the director of
59 revenue of such failure and of the pending charges against
60 the defendant. Upon receipt of this notification, the
61 director shall suspend the license of the driver, effective
62 immediately, and provide notice of the suspension to the
63 driver at the last address for the driver shown on the
64 records of the department of revenue. Such suspension shall
65 remain in effect until the court with the subject pending
66 charge requests setting aside the noncompliance suspension
67 pending final disposition, or satisfactory evidence of
68 disposition of pending charges and payment of fine and court
69 costs, if applicable, is furnished to the director by the

70 individual. The filing of financial responsibility with the
71 department of revenue shall not be required as a condition
72 of reinstatement of a driver's license suspended solely
73 under the provisions of this subsection.

74 4. Where a defendant is charged exclusively with minor
75 traffic violations, as such term is defined in section
76 479.350, any suspension under this section shall be
77 accompanied by issuance from the director of revenue of
78 limited driving privileges for all purposes identified under
79 subdivision (2) of subsection 3 of section 302.309, unless
80 the director finds the defendant is ineligible for such
81 privileges under the provisions of section 302.309.

302.755. 1. A person is disqualified from driving a
2 commercial motor vehicle for a period of not less than one
3 year if convicted of a first violation of:

4 (1) Driving a motor vehicle under the influence of
5 alcohol or a controlled substance, or of an alcohol-related
6 enforcement contact as defined in subsection 3 of section
7 302.525;

8 (2) Driving a commercial motor vehicle which causes a
9 fatality through the negligent operation of the commercial
10 motor vehicle, including but not limited to the offenses of
11 vehicular manslaughter, homicide by motor vehicle, and
12 negligent homicide;

13 (3) Driving a commercial motor vehicle while revoked
14 pursuant to section 302.727;

15 (4) Leaving the scene of an accident involving a
16 commercial or noncommercial motor vehicle operated by the
17 person;

18 (5) Using a commercial or noncommercial motor vehicle
19 in the commission of any felony, as defined in section
20 302.700, except a felony as provided in subsection 4 of this
21 section.

22 2. If any of the violations described in subsection 1
23 of this section occur while transporting a hazardous
24 material the person is disqualified for a period of not less
25 than three years.

26 3. Any person is disqualified from operating a
27 commercial motor vehicle for life if convicted of two or
28 more violations of any of the offenses specified in
29 subsection 1 of this section, or any combination of those
30 offenses, arising from two or more separate incidents. The
31 director may issue rules and regulations, in accordance with
32 guidelines established by the Secretary, under which a
33 disqualification for life under this section may be reduced
34 to a period of not less than ten years.

35 4. Any person is disqualified from driving a
36 commercial motor vehicle for life who uses a commercial or
37 noncommercial motor vehicle in the commission of any felony
38 involving the manufacture, distribution, or dispensing of a
39 controlled substance, or possession with intent to
40 manufacture, distribute, or dispense a controlled substance.

41 5. Any person is disqualified from operating a
42 commercial motor vehicle for a period of not less than sixty
43 days if convicted of two serious traffic violations or one
44 hundred twenty days if convicted of three serious traffic
45 violations, arising from separate incidents occurring within
46 a three-year period.

47 6. Any person found to be operating a commercial motor
48 vehicle while having any measurable alcohol concentration
49 shall immediately be issued a continuous twenty-four-hour
50 out-of-service order by a law enforcement officer in this
51 state.

52 7. Any person who is convicted of operating a
53 commercial motor vehicle beginning at the time of issuance

54 of the out-of-service order until its expiration is guilty
55 of a class A misdemeanor.

56 8. Any person convicted for the first time of driving
57 while out of service shall be disqualified from driving a
58 commercial motor vehicle in the manner prescribed in 49 CFR
59 383, or as amended by the Secretary.

60 9. Any person convicted of driving while out of
61 service on a second occasion during any ten-year period,
62 involving separate incidents, shall be disqualified in the
63 manner prescribed in 49 CFR 383, or as amended by the
64 Secretary.

65 10. Any person convicted of driving while out of
66 service on a third or subsequent occasion during any ten-
67 year period, involving separate incidents, shall be
68 disqualified for a period of three years.

69 11. Any person convicted of a first violation of an
70 out-of-service order while transporting hazardous materials
71 or while operating a motor vehicle designed to transport
72 sixteen or more passengers, including the driver, is
73 disqualified for a period of one hundred eighty days.

74 12. Any person convicted of any subsequent violation
75 of an out-of-service order in a separate incident within ten
76 years after a previous violation, while transporting
77 hazardous materials or while operating a motor vehicle
78 designed to transport fifteen passengers, including the
79 driver, is disqualified for a period of three years.

80 13. Any person convicted of any other offense as
81 specified by regulations promulgated by the Secretary of
82 Transportation shall be disqualified in accordance with such
83 regulations.

84 14. After suspending, revoking, cancelling, or
85 disqualifying a driver, the director shall update records to
86 reflect such action and notify a nonresident's licensing

87 authority and the commercial driver's license information
88 system within ten days in the manner prescribed in 49 CFR
89 384, or as amended by the Secretary.

90 15. Any person disqualified from operating a
91 commercial motor vehicle pursuant to subsection 1, 2, 3 or 4
92 of this section shall have such commercial driver's license
93 cancelled, and upon conclusion of the period of
94 disqualification shall take the written and driving tests
95 and meet all other requirements of sections 302.700 to
96 302.780. Such disqualification and cancellation shall not
97 be withdrawn by the director until such person reapplies for
98 a commercial driver's license in this or any other state
99 after meeting all requirements of sections 302.700 to
100 302.780.

101 16. The director shall disqualify a driver upon
102 receipt of notification that the Secretary has determined a
103 driver to be an imminent hazard pursuant to 49 CFR 383.52.
104 Due process of a disqualification determined by the
105 Secretary pursuant to this section shall be held in
106 accordance with regulations promulgated by the Secretary.
107 The period of disqualification determined by the Secretary
108 pursuant to this section shall be served concurrently to any
109 other period of disqualification which may be imposed by the
110 director pursuant to this section. Both disqualifications
111 shall appear on the driving record of the driver.

112 17. The director shall disqualify a commercial license
113 holder or operator of a commercial motor vehicle from
114 operation of any commercial motor vehicle upon receipt of a
115 conviction for an offense of failure to appear or pay, and
116 such disqualification shall remain in effect until the
117 director receives notice that the person has complied with
118 the requirement to appear or pay.

119 18. The disqualification period must be in addition to
120 any other previous periods of disqualification in the manner
121 prescribed in 49 CFR 383, or as amended by the Secretary,
122 except when the major or serious violations are a result of
123 the same incident.

124 19. Any person is disqualified from driving a
125 commercial motor vehicle for life if convicted of using a
126 commercial motor vehicle in the commission of a felony
127 involving an act or practice of severe forms of trafficking
128 in persons, as defined in 22 U.S.C. Section 7102 (11). A
129 disqualification for life under this subsection shall not be
130 reduced.

303.020. As used in this chapter the following words
2 and phrases shall mean:

3 (1) "Chauffeur", a person who is employed for the
4 principal purpose of operating a motor vehicle or any person
5 who drives a motor vehicle while in use as a public or
6 common carrier of persons or property for hire;

7 (2) "Director", director of revenue of the state of
8 Missouri, acting directly or through his authorized officers
9 and agents;

10 (3) "Judgment", a final judgment by a court of
11 competent jurisdiction of any state or of the United States,
12 upon a claim for relief for damages, including damages for
13 care and loss of services, because of bodily injury to or
14 death of any person, or for damages because of injury to or
15 destruction of property, including the loss of use thereof,
16 or upon a claim for relief on any agreement or settlement
17 for such damages arising out of the ownership, maintenance
18 or use of any motor vehicle;

19 (4) "License", an operator's or driver's license,
20 temporary instruction permit, chauffeur's or registered
21 operator's license issued under the laws of this state;

22 (5) "Motor vehicle", a self-propelled vehicle which is
23 designed for use upon a highway, except trailers designed
24 for use with such vehicles, traction engines, road rollers,
25 farm tractors, tractor cranes, power shovels, well drillers
26 [and], motorized bicycles[,] as defined in section 307.180,
27 electric bicycles as defined in section 301.010, and every
28 vehicle which is propelled by electric power obtained from
29 overhead wires but not operated upon rails;

30 (6) "Nonresident", a person not a resident of the
31 state of Missouri;

32 (7) "Nonresident's operating privilege", the privilege
33 conferred upon a nonresident by the laws of this state
34 pertaining to the operation by him of a motor vehicle, or
35 the use of a motor vehicle owned by him in this state;

36 (8) "Operator", a person who is in actual physical
37 control of a motor vehicle;

38 (9) "Owner", a person who holds the legal title to a
39 motor vehicle; or in the event a motor vehicle is the
40 subject of an agreement for the conditional sale or lease
41 thereof with the right of purchase upon performance of the
42 conditions stated in the agreement and with an immediate
43 right of possession vested in the conditional vendee or
44 lessee, or in the event a mortgagor of a motor vehicle is
45 entitled to possession thereof, then such conditional vendee
46 or lessee or mortgagor;

47 (10) "Proof of financial responsibility", proof of
48 ability to respond in damages for liability, on account of
49 accidents occurring subsequent to the effective date of said
50 proof, arising out of the ownership, maintenance or use of a
51 motor vehicle, in the amount of twenty-five thousand dollars
52 because of bodily injury to or death of one person in any
53 one accident, and, subject to said limit for one person, in
54 the amount of fifty thousand dollars because of bodily

55 injury to or death of two or more persons in any one
56 accident, and in the amount of twenty-five thousand dollars
57 because of injury to or destruction of property of others in
58 any one accident;

59 (11) "Registration", registration certificate or
60 certificates and registration plates issued under the laws
61 of this state pertaining to the registration of motor
62 vehicles;

63 (12) "State", any state, territory or possession of
64 the United States, the District of Columbia, or any province
65 of the Dominion of Canada;

66 (13) "Street" or "highway", the entire width between
67 property lines of every way or place of whatever nature when
68 any part thereof is open to the use of the public, as a
69 matter of right, for purposes of vehicular traffic.

304.001. As used in this chapter and chapter 307, the
2 following terms shall mean:

3 (1) "Abandoned property", any unattended motor
4 vehicle, trailer, all-terrain vehicle, outboard motor or
5 vessel removed or subject to removal from public or private
6 property as provided in sections 304.155 and 304.157,
7 whether or not operational. For any vehicle towed from the
8 scene of an accident at the request of law enforcement and
9 not retrieved by the vehicle's owner within five days of the
10 accident, the agency requesting the tow shall be required to
11 write an abandoned property report or a crime inquiry and
12 inspection report;

13 (2) "Commercial vehicle enforcement officers",
14 employees of the Missouri state highway patrol who are not
15 members of the patrol but who are appointed by the
16 superintendent of the highway patrol to enforce the laws,
17 rules, and regulations pertaining to commercial vehicles,

18 trailers, special mobile equipment and drivers of such
19 vehicles;

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

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

27 (5) "Department", the state transportation department;

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

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

37 (8) "Members of the patrol", the superintendent,
38 lieutenant colonel, majors, captains, director of radio,
39 lieutenants, sergeants, corporals and patrolmen of the
40 Missouri state highway patrol;

41 (9) "Off-road vehicle", any vehicle designed for or
42 capable of cross-country travel on or immediately over land,
43 water, ice, snow, marsh, swampland, or other natural terrain
44 without benefit of a road or trail:

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

46 a. Jeeps;

47 b. All-terrain vehicles;

48 c. Dune buggies;

49 d. Multiwheel drive or low-pressure tire vehicles;

50 e. Vehicle using an endless belt, or tread or treads,
51 or a combination of tread and low-pressure tires;

52 f. Motorcycles, trail bikes, minibikes and related
53 vehicles;

54 g. Any other means of transportation deriving power
55 from any source other than muscle or wind; and

56 (b) Excluding the following:

57 a. Registered motorboats;

58 b. Aircraft;

59 c. Any military, fire or law enforcement vehicle;

60 d. Farm-type tractors and other self-propelled
61 equipment for harvesting and transporting farm or forest
62 products;

63 e. Any vehicle being used for farm purposes, earth
64 moving, or construction while being used for such purposes
65 on the work site;

66 f. Self-propelled lawnmowers, or lawn or garden
67 tractors, or golf carts, while being used exclusively for
68 their designed purpose; and

69 g. Any vehicle being used for the purpose of
70 transporting a handicapped person;

71 h. Electric bicycles, as defined in section 301.010;

72 (10) "Person", any natural person, corporation, or
73 other legal entity;

74 (11) "Right-of-way", the entire width of land between
75 the boundary lines of a state highway, including any roadway;

76 (12) "Roadway", that portion of a state highway
77 ordinarily used for vehicular travel, exclusive of the berm
78 or shoulder;

79 (13) "State highway", a highway constructed or
80 maintained by the state highways and transportation
81 commission with the aid of state funds or United States

82 government funds, or any highway included by authority of
83 law in the state highway system, including all right-of-way;

84 (14) "Towing company", any person or entity which
85 tows, removes or stores abandoned property;

86 (15) "Urbanized area", an area with a population of
87 fifty thousand or more designated by the Bureau of the
88 Census, within boundaries to be fixed by the state highways
89 and transportation commission and local officials in
90 cooperation with each other and approved by the Secretary of
91 Transportation. The boundary of an urbanized area shall, at
92 a minimum, encompass the entire urbanized area as designed
93 by the Bureau of the Census.

304.153. 1. As used in this section, the following
2 terms shall mean:

3 (1) "Law enforcement officer", any public servant,
4 other than a patrol officer, who is defined as a law
5 enforcement officer under section 556.061;

6 (2) "Motor club", [an organization which motor vehicle
7 drivers and owners may join that provide certain benefits
8 relating to driving a motor vehicle] a legal entity that, in
9 consideration of dues, assessments, or periodic payments of
10 money, promises to provide motor club services to its
11 members or subscribers in accordance with section 385.450;

12 (3) "Patrol officer", a Missouri state highway patrol
13 officer;

14 (4) "Tow list", a list of approved towing companies
15 compiled, maintained, and utilized by the Missouri state
16 highway patrol or its designee;

17 (5) "Tow management company", any sole proprietorship,
18 partnership, corporation, fiduciary, association, or other
19 business entity that manages towing logistics for government
20 agencies or motor clubs;

21 (6) "Tow truck", a rollback or car carrier, wrecker,
22 or tow truck as defined under section 301.010;

23 (7) "Towing", moving or removing, or the preparation
24 therefor, of a vehicle by another vehicle for which a
25 service charge is made, either directly or indirectly,
26 including any dues or other charges of clubs or associations
27 which provide towing services;

28 (8) "Towing company", any person, partnership,
29 corporation, fiduciary, association, or other entity that
30 operates a wrecker or towing service as defined under
31 section 301.010.

32 2. In authorizing a towing company to perform
33 services, any patrol officer or law enforcement officer
34 within the officer's jurisdiction, or Missouri department of
35 transportation employee, may utilize the services of a tow
36 management company or tow list, provided:

37 (1) The Missouri state highway patrol is under no
38 obligation to include or retain the services of any towing
39 company in any contract or agreement with a tow management
40 company or any tow list established pursuant to this
41 section. A towing company is subject to removal from a tow
42 list at any time;

43 (2) Notwithstanding any other provision of law or any
44 regulation established pursuant to this section, an owner or
45 operator's request for a specific towing company shall be
46 honored by the Missouri state highway patrol unless:

47 (a) The requested towing company cannot or does not
48 respond in a reasonable time, as determined by a law
49 enforcement officer; or

50 (b) The vehicle to be towed poses an immediate traffic
51 hazard, as determined by a law enforcement officer.

52 3. A patrol officer shall not use a towing company
53 located outside of Missouri under this section except under
54 the following circumstances:

55 (1) A state or federal emergency has been declared; or

56 (2) The driver or owner of the vehicle, or a motor
57 club of which the driver or owner is a member, requests a
58 specific out-of-state towing company.

59 4. A towing company shall not tow a vehicle to a
60 location outside of Missouri without the consent of the
61 driver or owner of the motor vehicle, or without the consent
62 of a motor club of which the driver or owner of the motor
63 vehicle is a member.

64 5. Any towing company or tow truck arriving at the
65 scene of an accident that has not been called by a patrol
66 officer, a law enforcement officer, a Missouri department of
67 transportation employee, the driver or owner of the motor
68 vehicle or his or her authorized agent, including a motor
69 club of which the driver or owner is a member, shall be
70 prohibited from towing the vehicle from the scene of the
71 accident, unless the towing company or tow truck operator is
72 rendering emergency aid in the interest of public safety, or
73 is operating during a declared state of emergency under
74 section 44.100.

75 6. A tow truck operator that stops and tows a vehicle
76 from the scene of an accident in violation of subsection 5
77 of this section shall be guilty of a class D misdemeanor
78 upon conviction or pleading guilty for the first violation,
79 and such tow truck shall be subject to impounding. The
80 penalty for a second violation shall be a class A
81 misdemeanor, and the penalty for any third or subsequent
82 violation shall be a class D felony. A violation of this
83 section shall not preclude the tow truck operator from being
84 charged with tampering under chapter 569.

85 7. The provisions of this section shall also apply to
86 motor vehicles towed under section 304.155 or 304.157.

87 8. The provisions of this section shall not apply to
88 counties of the third or fourth classification.

 304.180. 1. No vehicle or combination of vehicles
2 shall be moved or operated on any highway in this state
3 having a greater weight than twenty thousand pounds on one
4 axle, no combination of vehicles operated by transporters of
5 general freight over regular routes as defined in section
6 390.020 shall be moved or operated on any highway of this
7 state having a greater weight than the vehicle
8 manufacturer's rating on a steering axle with the maximum
9 weight not to exceed twelve thousand pounds on a steering
10 axle, and no vehicle shall be moved or operated on any state
11 highway of this state having a greater weight than thirty-
12 four thousand pounds on any tandem axle; the term "tandem
13 axle" shall mean a group of two or more axles, arranged one
14 behind another, the distance between the extremes of which
15 is more than forty inches and not more than ninety-six
16 inches apart.

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

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

28 Distance in feet between the 29 extremes of any group of two or

30 more consecutive axles, measured
 31 to the nearest foot, except where
 32 indicated otherwise

	Maximum load in pounds				
feet	2 axles	3 axles	4 axles	5 axles	6 axles
36 4	34,000				
37 5	34,000				
38 6	34,000				
39 7	34,000				
40 8	34,000	34,000			
41 More than 8	38,000	42,000			
42 9	39,000	42,500			
43 10	40,000	43,500			
44 11	40,000	44,000			
45 12	40,000	45,000	50,000		
46 13	40,000	45,500	50,500		
47 14	40,000	46,500	51,500		
48 15	40,000	47,000	52,000		
49 16	40,000	48,000	52,500	58,000	
50 17	40,000	48,500	53,500	58,500	
51 18	40,000	49,500	54,000	59,000	
52 19	40,000	50,000	54,500	60,000	
53 20	40,000	51,000	55,500	60,500	66,000
54 21	40,000	51,500	56,000	61,000	66,500

55	22	40,000	52,500	56,500	61,500	67,000
56	23	40,000	53,000	57,500	62,500	68,000
57	24	40,000	54,000	58,000	63,000	68,500
58	25	40,000	54,500	58,500	63,500	69,000
59	26	40,000	55,500	59,500	64,000	69,500
60	27	40,000	56,000	60,000	65,000	70,000
61	28	40,000	57,000	60,500	65,500	71,000
62	29	40,000	57,500	61,500	66,000	71,500
63	30	40,000	58,500	62,000	66,500	72,000
64	31	40,000	59,000	62,500	67,500	72,500
65	32	40,000	60,000	63,500	68,000	73,000
66	33	40,000	60,000	64,000	68,500	74,000
67	34	40,000	60,000	64,500	69,000	74,500
68	35	40,000	60,000	65,500	70,000	75,000
69	36		60,000	66,000	70,500	75,500
70	37		60,000	66,500	71,000	76,000
71	38		60,000	67,500	72,000	77,000
72	39		60,000	68,000	72,500	77,500
73	40		60,000	68,500	73,000	78,000
74	41		60,000	69,500	73,500	78,500
75	42		60,000	70,000	74,000	79,000
76	43		60,000	70,500	75,000	80,000
77	44		60,000	71,500	75,500	80,000
78	45		60,000	72,000	76,000	80,000

79	46		60,000	72,500	76,500	80,000
80	47		60,000	73,500	77,500	80,000
81	48		60,000	74,000	78,000	80,000
82	49		60,000	74,500	78,500	80,000
83	50		60,000	75,500	79,000	80,000
84	51		60,000	76,000	80,000	80,000
85	52		60,000	76,500	80,000	80,000
86	53		60,000	77,500	80,000	80,000
87	54		60,000	78,000	80,000	80,000
88	55		60,000	78,500	80,000	80,000
89	56		60,000	79,500	80,000	80,000
90	57		60,000	80,000	80,000	80,000

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

96 4. Whenever the state highways and transportation
97 commission finds that any state highway bridge in the state
98 is in such a condition that use of such bridge by vehicles
99 of the weights specified in subsection 3 of this section
100 will endanger the bridge, or the users of the bridge, the
101 commission may establish maximum weight limits and speed
102 limits for vehicles using such bridge. The governing body
103 of any city or county may grant authority by act or
104 ordinance to the commission to enact the limitations
105 established in this section on those roadways within the

106 purview of such city or county. Notice of the weight limits
107 and speed limits established by the commission shall be
108 given by posting signs at a conspicuous place at each end of
109 any such bridge.

110 5. Nothing in this section shall be construed as
111 permitting lawful axle loads, tandem axle loads or gross
112 loads in excess of those permitted under the provisions of
113 P.L. 97-424 codified in Title 23 of the United States Code
114 (23 U.S.C. Section 101, et al.), as amended.

115 6. Notwithstanding the weight limitations contained in
116 this section, any vehicle or combination of vehicles
117 operating on highways other than the interstate highway
118 system may exceed single axle, tandem axle and gross weight
119 limitations in an amount not to exceed two thousand pounds.
120 However, total gross weight shall not exceed eighty thousand
121 pounds, except as provided in subsections 9, 10, 12, [and]
122 13, and 14 of this section.

123 7. Notwithstanding any provision of this section to
124 the contrary, the commission shall issue a single-use
125 special permit, or upon request of the owner of the truck or
126 equipment shall issue an annual permit, for the transporting
127 of any crane or concrete pump truck or well-drillers'
128 equipment. The commission shall set fees for the issuance
129 of permits and parameters for the transport of cranes
130 pursuant to this subsection. Notwithstanding the provisions
131 of section 301.133, cranes, concrete pump trucks, or well-
132 drillers' equipment may be operated on state-maintained
133 roads and highways at any time on any day.

134 8. Notwithstanding the provision of this section to
135 the contrary, the maximum gross vehicle limit and axle
136 weight limit for any vehicle or combination of vehicles
137 equipped with an idle reduction technology may be increased
138 by a quantity necessary to compensate for the additional

139 weight of the idle reduction system as provided for in 23
140 U.S.C. Section 127, as amended. In no case shall the
141 additional weight increase allowed by this subsection be
142 greater than five hundred fifty pounds. Upon request by an
143 appropriate law enforcement officer, the vehicle operator
144 shall provide proof that the idle reduction technology is
145 fully functional at all times and that the gross weight
146 increase is not used for any purpose other than for the use
147 of idle reduction technology.

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

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

167 11. Notwithstanding any provision of this section or
168 any other law to the contrary, the commission shall issue
169 emergency utility response permits for the transporting of
170 utility wires or cables, poles, and equipment needed for
171 repair work immediately following a disaster where utility

172 service has been disrupted. Under exigent circumstances,
173 verbal approval of such operation may be made either by the
174 department of transportation motor carrier compliance
175 supervisor or other designated motor carrier services
176 representative. Utility vehicles and equipment used to
177 assist utility companies granted special permits under this
178 subsection may be operated and transported on state-
179 maintained roads and highways at any time on any day. The
180 commission shall promulgate all necessary rules and
181 regulations for the administration of this section. Any
182 rule or portion of a rule, as that term is defined in
183 section 536.010, that is created under the authority
184 delegated in this section shall become effective only if it
185 complies with and is subject to all of the provisions of
186 chapter 536 and, if applicable, section 536.028. This
187 section and chapter 536 are nonseverable and if any of the
188 powers vested with the general assembly pursuant to chapter
189 536 to review, to delay the effective date, or to disapprove
190 and annul a rule are subsequently held unconstitutional,
191 then the grant of rulemaking authority and any rule proposed
192 or adopted after August 28, 2014, shall be invalid and void.

193 12. Notwithstanding any provision of this section to
194 the contrary, emergency vehicles designed to be used under
195 emergency conditions to transport personnel and equipment
196 and to support the suppression of fires and mitigate
197 hazardous situations may have a maximum gross vehicle weight
198 of eighty-six thousand pounds inclusive of twenty-four
199 thousand pounds on a single steering axle; thirty-three
200 thousand five hundred pounds on a single drive axle; sixty-
201 two thousand pounds on a tandem axle; or fifty-two thousand
202 pounds on a tandem rear-drive steer axle; except that, such
203 emergency vehicles shall only operate on the Dwight D.

204 Eisenhower National System of Interstate and Defense
205 Highways.

206 13. Notwithstanding any provision of this section to
207 the contrary, a vehicle operated by an engine fueled
208 primarily by natural gas may operate upon the public
209 highways of this state in excess of the vehicle weight
210 limits set forth in this section by an amount that is equal
211 to the difference between the weight of the vehicle
212 attributable to the natural gas tank and fueling system
213 carried by that vehicle and the weight of a comparable
214 diesel tank and fueling system. In no event shall the
215 maximum gross vehicle weight of the vehicle operating with a
216 natural gas engine exceed eighty-two thousand pounds.

217 14. Notwithstanding any provision of law to the
218 contrary, local log trucks and local log truck tractors, as
219 defined in section 301.010, may be operated with a weight
220 not exceeding twenty-two thousand four hundred pounds on one
221 axle or a weight not exceeding forty-four thousand eight
222 hundred pounds on any tandem axle, except the front steering
223 axle shall not exceed fifteen thousand pounds or the gross
224 vehicle weight rating set by the manufacturer, and may have
225 a total weight of up to one hundred five thousand pounds.
226 Provided however, when operating on the national system of
227 interstate and defense highways described in 23 U.S.C.
228 Section 103, as amended, or outside the radius from the
229 forested site specified in section 301.010 with an extended
230 distance local log truck permit, the vehicle shall not
231 exceed the weight limits otherwise specified in this section.

304.240. 1. Any person, firm, corporation,
2 partnership or association violating any of the provisions
3 of sections 304.170 to 304.230 shall be deemed guilty of a
4 misdemeanor and upon conviction thereof shall be punished by
5 a fine of not less than five dollars or by confinement in a

6 county jail for not more than twelve months, or by both the
7 fine and confinement; provided, however, that where load
8 limits as defined in sections 304.180 to 304.220 have been
9 violated, the fine shall be two cents for each pound of
10 excess weight up to and including five hundred, and five
11 cents for each pound of excess weight above five hundred and
12 not exceeding one thousand, and ten cents for each pound in
13 excess weight above one thousand; provided that, when any
14 vehicle is being operated under a special permit as provided
15 in section 304.200, the term "excess weight" means only
16 weight in excess of the amount permitted in the permit as
17 issued. The court may, in its discretion, cause to be
18 impounded the motor vehicle operated by any person violating
19 the provisions of this section until such time as the fine
20 and cost assessed by the court under this section is paid.

21 2. Notwithstanding subsection 1 of this section, the
22 fine for a load-limit violation under sections 304.180 to
23 304.220 involving a local log truck or a local log truck
24 tractor, as such terms are defined in section 301.010, shall
25 be as follows:

26 (1) If the weight exceeds the limit by one pound to
27 four thousand nine hundred ninety-nine pounds, the fine
28 shall be ten cents for each pound of excess weight;

29 (2) If the weight exceeds the limit by five thousand
30 pounds to nine thousand nine hundred ninety-nine pounds, the
31 fine shall be twenty cents for each pound of excess weight;
32 and

33 (3) If the weight exceeds the limit by ten thousand
34 pounds or more, the fine shall be fifty cents for each pound
35 of excess weight.

304.900. 1. As used in this section, the following
2 terms mean:

3 (1) "Agent", a person given the responsibility, by an
4 entity, of navigating and operating a personal delivery
5 device;

6 (2) "Personal delivery device", a powered device
7 operated primarily on sidewalks and crosswalks, intended
8 primarily for the transport of property on public rights-of-
9 way, and capable of navigating with or without the active
10 control or monitoring of a natural person. Notwithstanding
11 any other provision of law, a "personal delivery device"
12 shall not be defined as a motor vehicle or a vehicle;

13 (3) "Personal delivery device operator", an entity or
14 its agent that exercises physical control or monitoring over
15 the navigation system and operation of a personal delivery
16 device. A "personal delivery device operator" does not
17 include an entity or person that requests or receives the
18 services of a personal delivery device for the purpose of
19 transporting property or an entity or person who merely
20 arranges for and dispatches the requested services of a
21 personal delivery device.

22 2. Notwithstanding any other provision of law, a
23 personal delivery device is authorized to operate in this
24 state:

25 (1) On any sidewalk or crosswalk of any county or
26 municipality in the state; and

27 (2) On any roadway of any county or municipality in
28 the state, provided that the personal delivery device shall
29 not unreasonably interfere with motor vehicles or traffic.

30 3. A personal delivery device shall:

31 (1) Not block public rights-of-way;

32 (2) Obey all traffic and pedestrian control signals
33 and devices;

34 (3) Operate at a speed that does not exceed a maximum
35 speed of ten miles per hour on a sidewalk or crosswalk;

36 (4) Contain a unique identifying number that is
37 displayed on the device;

38 (5) Include a means of identifying the personal
39 delivery device operator; and

40 (6) Be equipped with a system that enables the
41 personal delivery device to come to a controlled stop.

42 4. Subject to the requirements of this section, a
43 personal delivery device operating on a sidewalk or
44 crosswalk shall have all the responsibilities applicable to
45 a pedestrian under the same circumstances.

46 5. A personal delivery device shall be exempt from
47 motor vehicle registration requirements.

48 6. A personal delivery device operator shall maintain
49 an insurance policy that provides general liability coverage
50 of at least one hundred thousand dollars for damages arising
51 from the combined operations of personal delivery devices
52 under a personal delivery device operator's control.

53 7. If the personal delivery device is being operated
54 between sunset and sunrise, it shall be equipped with
55 lighting on both the front and rear of the personal delivery
56 device visible in clear weather from a distance of at least
57 five hundred feet to the front and rear of the personal
58 delivery device.

59 8. A personal delivery device shall not be used for
60 the transportation of hazardous material regulated under the
61 Hazardous Materials Transportation Act, 49 USC Section 5103,
62 and required to be placarded under 49 CFR Part 172, Subpart
63 F.

64 9. Nothing in this section shall prohibit a political
65 subdivision from regulating the operation of personal
66 delivery devices on a highway or pedestrian area to insure
67 the welfare and safety of its residents. However, political
68 subdivisions shall not regulate the design, manufacture and

69 maintenance of a personal delivery device nor the types of
70 property that may be transported by a personal delivery
71 device. Additionally, no political subdivision shall treat
72 personal delivery devices differently for the purposes of
73 assessment and taxation or other charges from personal
74 property that is similar in nature.

75 10. A personal delivery device operator may not sell
76 or disclose a personally identifiable likeness to a third
77 party in exchange for monetary compensation. For purposes
78 of this section, a personally identifiable likeness includes
79 photographic images, videos, digital image files, or other
80 digital data that can be used to either directly or
81 indirectly identify an individual. "Personally identifiable
82 likeness" does not include aggregated or anonymized data.
83 The use of any personally identifiable likeness by a
84 personal delivery device operator to improve their products
85 and services is allowed under this section. Information
86 that would otherwise be protected under this section as
87 confidential shall only be provided to a law enforcement
88 entity with a properly executed, lawful subpoena.

307.025. The subsequent provisions of this chapter
2 with respect to equipment and lights on vehicles shall not
3 apply to agricultural machinery and implements, road
4 machinery, road rollers, traction engines, motorized
5 bicycles, electric bicycles as defined in section 301.010,
6 or farm tractors except as in this chapter made applicable.

307.128. 1. A headlamp on a motorcycle may be wired
2 to modulate either the upper beam or the lower beam from its
3 maximum intensity to a lesser intensity provided that:

4 (1) The rate of modulation shall be two hundred forty
5 plus or minus forty cycles per minute;

6 (2) The headlamp shall be operated at a maximum power
7 for fifty to seventy percent of each cycle;

8 (3) The lowest intensity at any test point shall not
9 be less than seventeen percent of the maximum intensity
10 measured at the same point;

11 (4) The modulator switch shall be wired in the power
12 lead of the beam filament being modulated and not in the
13 ground side of the circuit;

14 (5) Means shall be provided so that both the lower
15 beam and the upper beam remain operable in the event of a
16 modulation failure;

17 (6) The system shall include a sensor mounted with the
18 axis of its sensing element perpendicular to a horizontal
19 plane. Headlamp modulation shall cease whenever the level
20 of light emitted by a tungsten filament operating at three
21 thousand degrees kelvin is either less than two hundred
22 seventy lux of direct light for upward pointing sensors or
23 less than sixty lux of reflected light for downward pointing
24 sensors. The light is measured by a silicon cell type light
25 meter that is located at the sensor and pointing in the same
26 direction as the sensor. A photo gray card is placed at
27 ground level to simulate the road surface in testing
28 downward pointing sensors;

29 (7) Means shall be provided so that both the lower and
30 upper beam function at design voltage when the headlamp
31 control switch is in either the lower or upper beam position
32 when the modulator is off.

33 2. Each motorcycle headlamp modulator not intended as
34 original equipment, or its container, shall be labeled with
35 the maximum wattage, and the minimum wattage appropriate for
36 its use. Additionally, each such modulator shall comply
37 with the provisions of subdivisions (1) to (7) of subsection
38 1 of this section when connected to a headlamp of the
39 maximum-rated power and headlamp of the minimum-rated power,
40 and shall provide means so that the modulated beam functions

41 at design voltage when the modulator is off. Instructions,
42 with a diagram, shall be provided for mounting the light
43 sensor including location on the motorcycle, distance above
44 the road surface, and orientation with respect to the light.

45 3. Notwithstanding any other provision of law, subject
46 to the requirements of subsection 4 of this section, a
47 motorcycle may be equipped with, and an operator of a
48 motorcycle may use, the following auxiliary lighting:

49 (1) ~~Amber and white illumination~~ Any color
50 illumination;

51 (2) Standard bulb running lights; or

52 (3) Light-emitting diode pods and strips.

53 4. Lighting under subsection 3 of this section shall
54 be:

55 (1) Nonblinking;

56 (2) Nonflashing;

57 (3) Nonoscillating; and

58 (4) Directed toward the engine and the drive train of
59 the motorcycle to prevent interference with the driver's
60 operation of the vehicle.

307.180. As used in sections 307.180 to 307.193:

2 (1) The word "bicycle" shall mean every vehicle
3 propelled solely by human power upon which any person may
4 ride, having two tandem wheels, or two parallel wheels and
5 one or two forward or rear wheels, all of which are more
6 than fourteen inches in diameter, except scooters and
7 similar devices;

8 (2) The term "motorized bicycle" shall mean any two-
9 or three-wheeled device having an automatic transmission and
10 a motor with a cylinder capacity of not more than fifty
11 cubic centimeters, which produces less than three gross
12 brake horsepower, and is capable of propelling the device at
13 a maximum speed of not more than thirty miles per hour on

14 level ground, but excluding an electric bicycle, as defined
15 in section 301.010. A motorized bicycle shall be considered
16 a motor vehicle for purposes of any homeowners' or renters'
17 insurance policy.

307.188. Every person riding a bicycle, electric
2 bicycle, or motorized bicycle upon a street or highway shall
3 be granted all of the rights and shall be subject to all of
4 the duties applicable to the driver of a vehicle as provided
5 by chapter 304, except as to special regulations in sections
6 307.180 to 307.193 and except as to those provisions of
7 chapter 304 which by their nature can have no application.

307.193. Any person seventeen years of age or older
2 who violates any provision of sections 307.180 to ~~[307.193]~~
3 307.194 is guilty of an infraction and, upon conviction
4 thereof, shall be punished by a fine of not less than five
5 dollars nor more than twenty-five dollars. Such an
6 infraction does not constitute a crime and conviction shall
7 not give rise to any disability or legal disadvantage based
8 on conviction of a criminal offense. If any person under
9 seventeen years of age violates any provision of sections
10 307.180 to ~~[307.193]~~ 307.194 in the presence of a peace
11 officer possessing the duty and power of arrest for
12 violation of the general criminal laws of the state or for
13 violation of ordinances of counties or municipalities of the
14 state, said officer may impound the bicycle or motorized
15 bicycle involved for a period not to exceed five days upon
16 issuance of a receipt to the child riding it or to its owner.

307.194. 1. Except as otherwise provided in this
2 section, every person riding an electric bicycle shall be
3 granted all of the rights and shall be subject to all of the
4 duties applicable to the operator of a bicycle. An electric
5 bicycle shall be considered a vehicle to the same extent as
6 a bicycle.

7 2. An electric bicycle or a person operating an
8 electric bicycle is not subject to provisions of law that
9 are applicable to motor vehicles, all-terrain vehicles, off-
10 road vehicles, off-highway vehicles, motor vehicle rentals,
11 motor vehicle dealers or franchises, or motorcycle dealers
12 or franchises, including vehicle registration, certificates
13 of title, drivers' licenses, and financial responsibility.

14 3. Beginning August 28, 2021, manufacturers and
15 distributors of electric bicycles shall apply a permanent
16 label to each electric bicycle. The label, which shall be
17 affixed to the electric bicycle in a prominent location,
18 shall contain the classification number, top assisted speed,
19 and motor wattage of the electric bicycle. The text on the
20 label shall be arial font and in at least nine-point type.

21 4. No person shall tamper with or modify an electric
22 bicycle so as to change the motor-powered speed capability
23 or engagement of an electric bicycle unless he or she
24 replaces the label required under subsection 3 of this
25 section with a new label indicating the new classification.

26 5. An electric bicycle shall comply with the equipment
27 and manufacturing requirements for bicycles adopted by the
28 United States Consumer Product Safety Commission, 16 CFR
29 1512.

30 6. An electric bicycle shall operate in a manner so
31 that the electric motor is disengaged or ceases to function
32 when the rider stops pedaling or when the brakes are applied.

33 7. An electric bicycle may be ridden where bicycles
34 are permitted to travel, subject to the following provisions:

35 (1) An electric bicycle may be ridden on bicycle or
36 multi-use paths where bicycles are permitted;

37 (2) Following notice and a public hearing, a
38 municipality, local authority, or state agency having
39 jurisdiction over a bicycle or multi-use path may prohibit

40 the operation of a class 1 electric bicycle or class 2
41 electric bicycle on that path if it finds that such a
42 restriction is needed for safety reasons or compliance with
43 other laws or legal obligations;

44 (3) A municipality, local authority, or state agency
45 having jurisdiction over a bicycle or multi-use path may
46 prohibit the operation of a class 3 electric bicycle on that
47 path; and

48 (4) The provisions of this subsection shall not apply
49 to a trail that is specifically designated as nonmotorized
50 and that has a natural surface tread that is made by
51 clearing and grading the native soil with no added surfacing
52 materials. A local authority or agency of the state having
53 jurisdiction over a trail described in this subsection may
54 regulate the use of an electric bicycle on that trail.

55 8. The use of class 3 electric bicycles shall be
56 subject to the following provisions:

57 (1) No person under sixteen years of age shall operate
58 a class 3 electric bicycle. A person under sixteen years of
59 age may ride as a passenger on a class 3 electric bicycle
60 that is designed to accommodate passengers; and

61 (2) All class 3 electric bicycles shall be equipped
62 with a speedometer that is capable of displaying the speed
63 an electric bicycle is traveling in miles per hour.

307.350. 1. The owner of every motor vehicle as
2 defined in section 301.010 which is required to be
3 registered in this state, except:

4 (1) Motor vehicles having less than one hundred fifty
5 thousand miles, for the ten-year period following their
6 model year of manufacture, excluding prior salvage vehicles
7 immediately following a rebuilding process and vehicles
8 subject to the provisions of section 307.380;

9 (2) Those motor vehicles which are engaged in
10 interstate commerce and are proportionately registered in
11 this state with the Missouri highway reciprocity commission,
12 although the owner may request that such vehicle be
13 inspected by an official inspection station, and a peace
14 officer may stop and inspect such vehicles to determine
15 whether the mechanical condition is in compliance with the
16 safety regulations established by the United States
17 Department of Transportation; and

18 (3) Historic motor vehicles registered pursuant to
19 section 301.131;

20 (4) Vehicles registered in excess of twenty-four
21 thousand pounds for a period of less than twelve months;

22 shall submit such vehicles to a biennial inspection of their
23 mechanism and equipment in accordance with the provisions of
24 sections 307.350 to 307.390 and obtain a certificate of
25 inspection and approval and a sticker, seal, or other device
26 from a duly authorized official inspection station. The
27 inspection, except the inspection of school buses which
28 shall be made at the time provided in section 307.375, shall
29 be made at the time prescribed in the rules and regulations
30 issued by the superintendent of the Missouri state highway
31 patrol; but the inspection of a vehicle shall not be made
32 more than sixty days prior to the date of application for
33 registration or within sixty days of when a vehicle's
34 registration is transferred; however, if a vehicle was
35 purchased from a motor vehicle dealer and a valid inspection
36 had been made within sixty days of the purchase date, the
37 new owner shall be able to utilize an inspection performed
38 within ninety days prior to the application for registration
39 or transfer. [Any vehicle manufactured as an even-numbered
40 model year vehicle shall be inspected and approved pursuant
41 to the safety inspection program established pursuant to

42 sections 307.350 to 307.390 in each even-numbered calendar
43 year and any such vehicle manufactured as an odd-numbered
44 model year vehicle shall be inspected and approved pursuant
45 to sections 307.350 to 307.390 in each odd-numbered year.】
46 The certificate of inspection and approval shall be a
47 sticker, seal, or other device or combination thereof, as
48 the superintendent of the Missouri state highway patrol
49 prescribes by regulation and shall be displayed upon the
50 motor vehicle or trailer as prescribed by the regulations
51 established by him. The replacement of certificates of
52 inspection and approval which are lost or destroyed shall be
53 made by the superintendent of the Missouri state highway
54 patrol under regulations prescribed by him.

55 2. For the purpose of obtaining an inspection only, it
56 shall be lawful to operate a vehicle over the most direct
57 route between the owner's usual place of residence and an
58 inspection station of such owner's choice, notwithstanding
59 the fact that the vehicle does not have a current state
60 registration license. It shall also be lawful to operate
61 such a vehicle from an inspection station to another place
62 where repairs may be made and to return the vehicle to the
63 inspection station notwithstanding the absence of a current
64 state registration license.

65 3. No person whose motor vehicle was duly inspected
66 and approved as provided in this section shall be required
67 to have the same motor vehicle again inspected and approved
68 for the sole reason that such person wishes to obtain a set
69 of any special personalized license plates available
70 pursuant to section 301.144 or a set of any license plates
71 available pursuant to section 301.142, prior to the
72 expiration date of such motor vehicle's current registration.

73 4. Notwithstanding the provisions of section 307.390,
74 violation of this section shall be deemed an infraction.

307.380. 1. Every vehicle of the type required to be
2 inspected upon having been involved in an accident and when
3 so directed by a police officer must be inspected and an
4 official certificate of inspection and approval, sticker,
5 seal or other device be obtained for such vehicle before it
6 is again operated on the highways of this state. At the
7 seller's expense every used motor vehicle of the type
8 required to be inspected by section 307.350[, whether new or
9 used,] shall immediately prior to sale be fully inspected
10 regardless of any current certificate of inspection and
11 approval, and an appropriate new certificate of inspection
12 and approval, sticker, seal or other device shall be
13 obtained.

14 2. Nothing contained in the provisions of this section
15 shall be construed to prohibit a dealer or any other person
16 from selling a vehicle without a certificate of inspection
17 and approval if the vehicle is sold for junk, salvage, or
18 for rebuilding, or for vehicles sold at public auction or
19 from dealer to dealer. The purchaser of any vehicle which
20 is purchased for junk, salvage, or for rebuilding, shall
21 give to the seller an affidavit, on a form prescribed by the
22 superintendent of the Missouri state highway patrol, stating
23 that the vehicle is being purchased for one of the reasons
24 stated herein. No vehicle of the type required to be
25 inspected by section 307.350 which is purchased as junk,
26 salvage, or for rebuilding shall again be registered in this
27 state until the owner has submitted the vehicle for
28 inspection and obtained an official certificate of
29 inspection and approval, sticker, seal or other device for
30 such vehicle.

31 3. Notwithstanding the provisions of section 307.390,
32 violation of this section shall be deemed an infraction.

365.020. Unless otherwise clearly indicated by the
2 context, the following words and phrases have the meanings
3 indicated:

4 (1) "Cash sale price", the price stated in a retail
5 installment contract for which the seller would have sold to
6 the buyer, and the buyer would have bought from the seller,
7 the motor vehicle which is the subject matter of the retail
8 installment contract, if the sale had been a sale for cash
9 or at a cash price instead of a retail installment
10 transaction at a time sale price. The cash sale price may
11 include any taxes, registration, certificate of title,
12 license and other fees and charges for accessories and their
13 installment and for delivery, servicing, repairing or
14 improving the motor vehicle;

15 (2) "Director", the office of the director of the
16 division of finance;

17 (3) "Holder" of a retail installment contract, the
18 retail seller of the motor vehicle under the contract or, if
19 the contract is purchased by a sales finance company or
20 other assignee, the sales finance company or other assignee;

21 (4) "Insurance company", any form of lawfully
22 authorized insurer in this state;

23 (5) "Motor vehicle", any new or used automobile,
24 mobile home, manufactured home as defined in section
25 700.010, excluding a manufactured home with respect to which
26 the requirements of subsections 1 to 3 of section 700.111,
27 as applicable, have been satisfied, motorcycle, all-terrain
28 vehicle, motorized bicycle, electric bicycle as defined in
29 section 301.010, moped, motortricycle, truck, trailer,
30 semitrailer, truck tractor, or bus primarily designed or
31 used to transport persons or property on a public highway,
32 road or street;

33 (6) "Official fees", the fees prescribed by law for
34 filing, recording or otherwise perfecting and releasing or
35 satisfying any title or lien retained or taken by a seller
36 in connection with a retail installment transaction;

37 (7) "Person", an individual, partnership, corporation,
38 association, and any other group however organized;

39 (8) "Principal balance", the cash sale price of the
40 motor vehicle which is the subject matter of the retail
41 installment transaction plus the amounts, if any, included
42 in the sale, if a separate identified charge is made
43 therefor and stated in the contract, for insurance and other
44 benefits, including any amounts paid or to be paid by the
45 seller pursuant to an agreement with the buyer to discharge
46 a security interest, lien, or lease interest on property
47 traded in and official fees, minus the amount of the buyer's
48 down payment in money or goods. Notwithstanding any law to
49 the contrary, any amount actually paid by the seller
50 pursuant to an agreement with the buyer to discharge a
51 security interest, lien or lease on property traded in which
52 was included in a contract prior to August 28, 1999, is
53 valid and legal;

54 (9) "Retail buyer" or "buyer", a person who buys a
55 motor vehicle from a retail seller in a retail installment
56 transaction under a retail installment contract;

57 (10) "Retail installment contract" or "contract", an
58 agreement evidencing a retail installment transaction
59 entered into in this state pursuant to which the title to or
60 a lien upon the motor vehicle, which is the subject matter
61 of the retail installment transaction is retained or taken
62 by the seller from the buyer as security for the buyer's
63 obligation. The term includes a chattel mortgage or a
64 conditional sales contract;

65 (11) "Retail installment transaction", a sale of a
66 motor vehicle by a retail seller to a retail buyer on time
67 under a retail installment contract for a time sale price
68 payable in one or more deferred installments;

69 (12) "Retail seller" or "seller", a person who sells a
70 motor vehicle, not principally for resale, to a retail buyer
71 under a retail installment contract;

72 (13) "Sales finance company", a person engaged, in
73 whole or in part, in the business of purchasing retail
74 installment contracts from one or more sellers. The term
75 includes but is not limited to a bank, trust company, loan
76 and investment company, savings and loan association,
77 financing institution, or registrant pursuant to sections
78 367.100 to 367.200, if so engaged. The term shall not
79 include a person who makes only isolated purchases of retail
80 installment contracts, which purchases are not being made in
81 the course of repeated or successive purchases of retail
82 installment contracts from the same seller;

83 (14) "Time price differential", the amount, however
84 denominated or expressed, as limited by section 365.120, in
85 addition to the principal balance to be paid by the buyer
86 for the privilege of purchasing the motor vehicle on time to
87 be paid for by the buyer in one or more deferred
88 installments;

89 (15) "Time sale price", the total of the cash sale
90 price of the motor vehicle and the amount, if any, included
91 for insurance and other benefits if a separate identified
92 charge is made therefor and the amounts of the official fees
93 and time price differential.

385.220. 1. The provisions of sections 385.200 to
2 385.220 shall not apply to:

- 3 (1) Warranties;
- 4 (2) Maintenance agreements;

5 (3) Commercial transactions; [and]

6 (4) Service contracts sold or offered for sale to
7 persons other than consumers; or

8 (5) Motor club contracts, as defined in section
9 385.450.

10 2. Manufacturer's contracts on the manufacturer's
11 products need only comply with the provisions of sections
12 385.206, 385.208, and 385.216.

385.320. 1. Sections 385.300 to 385.320 shall not
2 apply to:

3 (1) Warranties;

4 (2) Maintenance agreements;

5 (3) Warranties, service contracts, or maintenance
6 agreements offered by public utilities on their transmission
7 devices to the extent they are regulated under the laws of
8 this state;

9 (4) Service contracts sold or offered for sale to
10 persons other than consumers;

11 (5) Service contracts sold or offered to nonresidents
12 of this state regardless of whether the entity selling or
13 offering such contracts is located or doing business in this
14 state;

15 (6) Motor vehicle extended service contracts, as
16 defined in section 385.200; [and]

17 (7) Motor club contracts, as defined in section
18 385.450; or

19 (8) Agreements or warranties which provide for the
20 service, repair, replacement, or maintenance of the systems,
21 appliances, and structural components of residential or
22 commercial real property.

23 2. Manufacturer's service contracts on the
24 manufacturer's products need only comply with the provisions
25 of sections 385.306, 385.308, and 385.316.

385.450. 1. As used in this section, the following terms shall mean:

(1) "Motor club", a legal entity that, in consideration of dues, assessments, or periodic payments of money, promises to provide motor club services to its members or subscribers;

(2) "Motor club contract", an agreement whereby a motor club promises to render, furnish, or procure motor club services to or for its members or subscribers;

(3) "Motor club services", services that assist a member or subscriber of a motor club in matters relating to motor travel or the operation, use, or maintenance of a motor vehicle by supplying services that may include, but are not limited to, towing service, emergency road service, bail and guaranteed arrest bond certificate service, discount service, theft service, map service, touring service, legal fee reimbursement service in the defense of traffic offenses, and participation in an accident and sickness or accidental death insurance benefit program issued by an insurance company authorized to do business in this state.

2. Fees collected from the sale of motor club contracts shall not be subject to taxation of premiums under chapter 148.

3. Motor clubs complying with the provisions of this section shall not be required to comply with the provisions of chapter 374 or 375, or any other provisions governing insurance companies, except as specifically provided.

407.005. As used in this chapter, unless the context clearly requires otherwise, the term "digital electronic equipment" shall mean any product that depends for its functioning, in whole or in part, on digital electronics embedded in or attached to the product; provided however,

6 that such term shall not include any motor vehicle
7 manufacturer, manufacturer of motor vehicle equipment, or
8 motor vehicle dealer, or any product or service of a motor
9 vehicle manufacturer, manufacturer of motor vehicle
10 equipment, or motor vehicle dealer acting in that capacity.

407.300. 1. Every purchaser or collector of, or
2 dealer in, junk, scrap metal, or any secondhand property who
3 obtains items for resale or profit shall keep a register
4 containing a written or electronic record for each purchase
5 or trade in which each type of material subject to the
6 provisions of this section is obtained for value. There
7 shall be a separate record for each transaction involving
8 any:

9 (1) Copper, brass, or bronze;

10 (2) Aluminum wire, cable, pipe, tubing, bar, ingot,
11 rod, fitting, or fastener;

12 (3) Material containing copper or aluminum that is
13 knowingly used for farming purposes as farming is defined in
14 section 350.010; whatever may be the condition or length of
15 such metal;

16 (4) Detached catalytic converter; or

17 (5) Motor vehicle, heavy equipment, or tractor battery.

18 2. The record required by this section shall contain
19 the following data:

20 (1) A copy of the driver's license or photo
21 identification issued by the state or by the United States
22 government or agency thereof [to] of the person from whom
23 the material is obtained;

24 (2) The current address, gender, birth date, and a
25 color photograph of the person from whom the material is
26 obtained if not included or are different from the
27 identification required in subdivision (1) of this
28 subsection;

- 29 (3) The date, time, and place of the transaction;
30 (4) The license plate number of the vehicle used by
31 the seller during the transaction; and
32 (5) A full description of the material, including the
33 weight and purchase price.

34 3. The records required under this section shall be
35 maintained for a minimum of [twenty-four] thirty-six months
36 from when such material is obtained and shall be available
37 for inspection by any law enforcement officer.

38 4. [Anyone convicted of violating this section shall
39 be guilty of a class B misdemeanor.] No transaction that
40 includes a detached catalytic converter shall occur at any
41 location other than the fixed place of business of the
42 purchaser or collector of, or dealer in, junk, scrap metal,
43 or any secondhand property. No detached catalytic converter
44 shall be altered, modified, disassembled, or destroyed until
45 it has been in the purchaser's, collector's, or dealer's
46 possession for five business days.

47 5. Anyone licensed under section 301.218 who knowingly
48 purchases a stolen detached catalytic converter shall be
49 subject to the following penalties:

50 (1) For a first violation, a fine in the amount of
51 five-thousand dollars;

52 (2) For a second violation, a fine in the amount of
53 ten-thousand dollars; and

54 (3) For a third violation, revocation of the license
55 for a business described under section 301.218.

56 6. This section shall not apply to [any] either of the
57 following transactions:

58 (1) [Any transaction for which the total amount paid
59 for all regulated material purchased or sold does not exceed
60 fifty dollars, unless the material is a catalytic converter;

61 (2)] Any transaction for which the seller[, including
62 a farm or farmer,] has an existing business relationship
63 with the scrap metal dealer and is known to the scrap metal
64 dealer making the purchase to be an established business or
65 political subdivision that operates a business with a fixed
66 location that can be reasonably expected to generate
67 regulated scrap metal and can be reasonably identified as
68 such a business, and for which the seller is paid by check
69 or by electronic funds transfer, or the seller produces an
70 acceptable identification, which shall be a copy of the
71 driver's license or photo identification issued by the state
72 or by the United States government or agency thereof, and a
73 copy is retained by the purchaser; or

74 [(3)] (2) Any transaction for which the type of metal
75 subject to subsection 1 of this section is a minor part of a
76 larger item, except for equipment used in the generation and
77 transmission of electrical power or telecommunications.

 407.526. 1. A person commits the crime of odometer
2 fraud in the third degree if, with the intent to defraud, he
3 operates a motor vehicle less than [ten] twenty years old
4 with a model year of 2011 or newer on any street or highway
5 knowing that the odometer of the motor vehicle is
6 disconnected or not functioning.

7 2. Odometer fraud in the third degree is a class C
8 misdemeanor.

 407.536. 1. Any person transferring ownership of a
2 motor vehicle previously titled in this or any other state
3 shall do so by assignment of title and shall place the
4 mileage registered on the odometer at the time of transfer
5 above the signature of the transferor. The signature of the
6 transferor below the mileage shall constitute an odometer
7 mileage statement. The transferee shall sign such odometer
8 mileage statement before an application for certificate of

9 ownership may be made. If the true mileage is known to the
10 transferor to be different from the number of miles shown on
11 the odometer or the true mileage is unknown, a statement
12 from the transferor shall accompany the assignment of title
13 which shall contain all facts known by the transferor
14 concerning the true mileage of the motor vehicle. That
15 statement shall become a part of the permanent record of the
16 motor vehicle with the Missouri department of revenue. The
17 department of revenue shall place on all new titles issued
18 after September 28, 1977, a box titled "mileage at the time
19 of transfer".

20 2. Any person transferring the ownership of a motor
21 vehicle previously untitled in this or any other state to
22 another person shall give an odometer mileage statement to
23 the transferee. The statement shall include above the
24 signature of the transferor and transferee the cumulative
25 mileage registered on the odometer at the time of transfer.
26 If the true mileage is known to the transferor to be
27 different from the number of miles shown on the odometer or
28 the true mileage is unknown, a statement from the transferor
29 shall accompany the assignment of title which shall contain
30 all facts known by the transferor concerning the true
31 mileage of the motor vehicle. That statement shall become a
32 permanent part of the records of the Missouri department of
33 revenue.

34 3. If, upon receiving an application for registration
35 or for a certificate of ownership of a motor vehicle, the
36 director of revenue has credible evidence that the odometer
37 reading provided by a transferor is materially inaccurate,
38 he may place an asterisk on the face of the title document
39 issued by the Missouri department of revenue, provided that
40 the process required thereby does not interfere with his
41 obligations under subdivision (2) of subsection 3 of section

42 301.190. The asterisk shall refer to a statement on the
43 face and at the bottom of the title document which shall
44 read as follows: "This may not be the true and accurate
45 mileage of this motor vehicle. Consult the documents on
46 file with the Missouri department of revenue for an
47 explanation of the inaccuracy.". Nothing in this section
48 shall prevent any person from challenging the determination
49 by the director of revenue in the circuit courts of the
50 state of Missouri. The burden of proof shall be on the
51 director of the department of revenue in all such
52 proceedings.

53 4. The mileage disclosed by the odometer mileage
54 statement for a new or used motor vehicle as described in
55 subsections 1 and 2 of this section shall be placed by the
56 transferor on any title or document evidencing ownership.
57 Additional statements shall be placed on the title document
58 as follows:

59 (1) If the transferor states that to the best of his
60 knowledge the mileage disclosed is the actual mileage of the
61 motor vehicle, an asterisk shall follow the mileage on the
62 face of the title or document of ownership issued by the
63 Missouri department of revenue. The asterisk shall
64 reference to a statement on the face and bottom of the title
65 document which shall read as follows: "Actual Mileage";

66 (2) Where the transferor has submitted an explanation
67 why this mileage is incorrect, an asterisk shall follow the
68 mileage on the face of the title or document of ownership
69 issued by the Missouri department of revenue. The asterisk
70 shall reference to a statement on the face and at the bottom
71 of the title document which shall read as follows: "This is
72 not the true and accurate mileage of this motor vehicle.
73 Consult the documents on file with the Missouri department

74 of revenue for an explanation of the inaccuracy.". Further
75 wording shall be included as follows:

76 (a) If the transferor states that the odometer
77 reflects the amount of mileage in excess of the designed
78 mechanical odometer limit, the above statement on the face
79 of the title document shall be followed by the words:
80 "Mileage exceeds the mechanical limits";

81 (b) If the transferor states that the odometer reading
82 differs from the mileage and that the difference is greater
83 than that caused by odometer calibration error and the
84 odometer reading does not reflect the actual mileage and
85 should not be relied upon, the above statement on the face
86 of the title document shall be preceded by the words:
87 "Warning Odometer Discrepancy".

88 5. The department of revenue shall notify all motor
89 vehicle ownership transferees of the civil and criminal
90 penalties involving odometer fraud.

91 6. Any person defacing or obscuring or otherwise
92 falsifying any odometer reading on any document required by
93 this section shall be guilty of a class E felony.

94 7. The granting or creation of a security interest or
95 lien shall not be considered a change of ownership for the
96 purpose of this section, and the grantor of such lien or
97 security interest shall not be required to make an odometer
98 mileage statement. The release of a lien by a mortgage
99 holder shall not be considered a change of ownership of the
100 motor vehicle for the purposes of this section. The
101 mortgage holder or lienholder shall not be required to make
102 an odometer disclosure statement or state the current
103 odometer setting at the time of the release of the lien
104 where there is no change of ownership.

105 8. For the purposes of the mileage disclosure
106 requirements of this section, if a certificate of ownership

107 is held by a lienholder, if the transferor makes application
108 for a duplicate certificate of ownership, or as otherwise
109 provided in the federal Motor Vehicle Information and Cost
110 Savings Act and related federal regulations, the transferor
111 may execute a written power of attorney authorizing a
112 transfer of ownership. The person granted such power of
113 attorney shall restate exactly on the assignment of title
114 the actual mileage disclosed at the time of transfer. The
115 power of attorney shall accompany the certificate of
116 ownership and the original power of attorney and a copy of
117 the certificate of ownership shall be returned to the
118 issuing state in the manner prescribed by the director of
119 revenue, unless otherwise provided by federal law, rule or
120 regulation. The department of revenue may prescribe a
121 secure document for use in executing a written power of
122 attorney, and may allow electronic signatures on such
123 document. The department shall collect a fee for each form
124 issued, not to exceed the cost of procuring the form.

407.556. 1. A violation of the provisions of sections
2 407.511 to 407.556 by any person licensed or registered as a
3 manufacturer or dealer pursuant to the provisions of chapter
4 301, shall be considered a violation of the provisions of
5 that chapter, subjecting that person to revocation or
6 suspension of any license issued pursuant to the provisions
7 of that chapter.

2. The provisions of sections 407.511 to 407.556 do
9 not apply to the following motor vehicles:

- 10 (1) Any motor vehicle having a gross vehicle weight
11 rating of more than sixteen thousand pounds;
- 12 (2) Any motor vehicle with a model year prior to 2011,
13 or any motor vehicle that is [ten] twenty years old or older;

14 (3) Any motor vehicle sold directly by the
15 manufacturer to any agency of the United States in
16 conformity with contractual specifications; or

17 (4) Any new vehicle prior to its first transfer for
18 purposes other than resale.

407.560. As used in sections 407.560 to 407.579, the
2 following terms mean:

3 (1) "Collateral charges", those additional charges to
4 a consumer not directly attributable to a manufacturer's
5 suggested retail price label for the new motor vehicle. For
6 the purposes of sections 407.560 to 407.579, "collateral
7 charges" includes all sales tax, license fees, registration
8 fees, title fees and motor vehicle inspections;

9 (2) "Comparable motor vehicle", an identical or
10 reasonably equivalent motor vehicle;

11 (3) "Consumer", the purchaser, other than for the
12 purposes of resale, of a new motor vehicle, primarily used
13 for personal, family, or household purposes, and any person
14 to whom such new motor vehicle is transferred for the same
15 purposes during the duration of an express warranty
16 applicable to such new motor vehicle, and any other person
17 entitled by the terms of such warranty to enforce the
18 obligations of the warranty;

19 (4) "Express warranty", any written affirmation of the
20 fact or promise made by a manufacturer to a consumer in
21 connection with the sale of new motor vehicles which relates
22 to the nature of the material or workmanship or will meet a
23 specified level of performance over a specified period of
24 time;

25 (5) "Manufacturer", any person engaged in the
26 manufacturing or assembling of new motor vehicles as a
27 regular business;

28 (6) "New motor vehicle", any motor vehicle being
29 transferred for the first time from a manufacturer,
30 distributor or new vehicle dealer, which has not been
31 registered or titled in this state or any other state and
32 which is offered for sale, barter or exchange by a dealer
33 who is franchised to sell, barter or exchange that
34 particular make of new motor vehicle. The term "new motor
35 vehicle" shall include only those vehicles propelled by
36 power other than muscular power, but the term shall not
37 include vehicles used as a commercial motor vehicle, off-
38 road vehicles, mopeds, electric bicycles as defined in
39 section 300.010, motorcycles or recreational motor vehicles
40 as defined in section 301.010, except for the chassis,
41 engine, powertrain and component parts of recreational motor
42 vehicles. The term "new motor vehicle" shall also include
43 demonstrators or lease-purchase vehicles as long as a
44 manufacturer's warranty was issued as a condition of sale.

 407.815. As used in sections 407.810 to 407.835,
2 unless the context otherwise requires, the following terms
3 mean:

4 (1) "Administrative hearing commission", the body
5 established in chapter 621 to conduct administrative
6 hearings;

7 (2) "All-terrain vehicle", any motorized vehicle
8 manufactured and used exclusively for off-highway use, with
9 an unladen dry weight of one thousand five hundred pounds or
10 less, traveling on three, four or more nonhighway tires,
11 with either:

12 (a) A seat designed to be straddled by the operator,
13 and handlebars for steering control, but excluding an
14 electric bicycle as defined in section 301.010; or

15 (b) A width of fifty inches or less, measured from
16 outside of tire rim to outside of tire rim, regardless of
17 seating or steering arrangement;

18 (3) "Coerce", to compel or attempt to compel a person
19 to act in a given manner by pressure, intimidation, or
20 threat of harm, damage, or breach of contract, but shall not
21 include the following:

22 (a) Good faith recommendations, exposition, argument,
23 persuasion or attempts at persuasion without unreasonable
24 conditions;

25 (b) Notice given in good faith to any franchisee of
26 such franchisee's violation of terms or provisions of such
27 franchise or contractual agreement; or

28 (c) Any conduct set forth in sections 407.810 to
29 407.835 that is permitted of the franchisor;

30 (4) "Common entity", a person:

31 (a) Who is either controlled or owned, beneficially or
32 of record, by one or more persons who also control or own
33 more than forty percent of the voting equity interest of a
34 franchisor; or

35 (b) Who shares directors or officers or partners with
36 a franchisor;

37 (5) "Control", to possess, directly or indirectly, the
38 power to direct or cause the direction of the management or
39 policies of a person, whether through the ownership of
40 voting securities, by contract, or otherwise; except that
41 "control" does not include the relationship between a
42 franchisor and a franchisee under a franchise agreement;

43 (6) "Dealer-operator", the individual who works at the
44 established place of business of a dealer and who is
45 responsible for and in charge of day-to-day operations of
46 that place of business;

47 (7) "Distributor", a person, resident or nonresident,
48 who, in whole or in part, sells or distributes new motor
49 vehicles to motor vehicle dealers in this state;

50 (8) "Franchise" or "franchise agreement", a written
51 arrangement or contract for a definite or indefinite period,
52 in which a person grants to another person a license to use,
53 or the right to grant to others a license to use, a trade
54 name, trademark, service mark, or related characteristics,
55 in which there is a community of interest in the marketing
56 of goods or services, or both, at wholesale or retail, by
57 agreement, lease or otherwise, and in which the operation of
58 the franchisee's business with respect to such franchise is
59 substantially reliant on the franchisor for the continued
60 supply of franchised new motor vehicles, parts and
61 accessories for sale at wholesale or retail. The franchise
62 includes all portions of all agreements between a franchisor
63 and a franchisee, including but not limited to a contract,
64 new motor vehicle franchise, sales and service agreement, or
65 dealer agreement, regardless of the terminology used to
66 describe the agreement or relationship between the
67 franchisor and franchisee, and also includes all provisions,
68 schedules, attachments, exhibits and agreements incorporated
69 by reference therein;

70 (9) "Franchisee", a person to whom a franchise is
71 granted;

72 (10) "Franchisor", a person who grants a franchise to
73 another person;

74 (11) "Good faith", the duty of each party to any
75 franchise and all officers, employees, or agents thereof, to
76 act in a fair and equitable manner toward each other so as
77 to guarantee the one party freedom from coercion,
78 intimidation, or threat of coercion or intimidation from the
79 other party;

80 (12) "Importer", a person who has written
81 authorization from a foreign manufacturer of a line-make of
82 motor vehicles to grant a franchise to a motor vehicle
83 dealer in this state with respect to that line-make;

84 (13) "Line-make", a collection of models, series, or
85 groups of motor vehicles manufactured by or for a particular
86 manufacturer, distributor or importer offered for sale,
87 lease or distribution pursuant to a common brand name or
88 mark; provided, however:

89 (a) Multiple brand names or marks may constitute a
90 single line-make, but only when included in a common dealer
91 agreement and the manufacturer, distributor or importer
92 offers such vehicles bearing the multiple names or marks
93 together only, and not separately, to its authorized
94 dealers; and

95 (b) Motor vehicles bearing a common brand name or mark
96 may constitute separate line-makes when pertaining to motor
97 vehicles subject to separate dealer agreements or when such
98 vehicles are intended for different types of use;

99 (14) "Manufacturer", any person, whether a resident or
100 nonresident of this state, who manufactures or assembles
101 motor vehicles or who manufactures or installs on previously
102 assembled truck chassis special bodies or equipment which,
103 when installed, form an integral part of the motor vehicle
104 and which constitute a major manufacturing alteration. The
105 term "manufacturer" includes a central or principal sales
106 corporation or other entity, other than a franchisee,
107 through which, by contractual agreement or otherwise, it
108 distributes its products;

109 (15) "Motor vehicle", for the purposes of sections
110 407.810 to 407.835, any motor-driven vehicle required to be
111 registered pursuant to the provisions of chapter 301, except
112 that, motorcycles, electric bicycles, and all-terrain

113 vehicles as defined in section 301.010 shall not be
114 included. The term "motor vehicle" shall also include any
115 engine, transmission, or rear axle, regardless of whether
116 attached to a vehicle chassis, that is manufactured for the
117 installation in any motor-driven vehicle with a gross
118 vehicle weight rating of more than sixteen thousand pounds
119 that is registered for the operations on the highways of
120 this state under chapter 301;

121 (16) "New", when referring to motor vehicles or parts,
122 means those motor vehicles or parts which have not been held
123 except as inventory, as that term is defined in subdivision
124 (4) of section 400.9-109;

125 (17) "Person", a natural person, sole proprietor,
126 partnership, corporation, or any other form of business
127 entity or organization;

128 (18) "Principal investor", the owner of the majority
129 interest of any franchisee;

130 (19) "Reasonable", shall be based on the circumstances
131 of a franchisee in the market served by the franchisee;

132 (20) "Require", to impose upon a franchisee a
133 provision not required by law or previously agreed to by a
134 franchisee in a franchise agreement;

135 (21) "Successor manufacturer", any manufacturer that
136 succeeds, or assumes any part of the business of, another
137 manufacturer, referred to as the "predecessor manufacturer",
138 as the result of:

139 (a) A change in ownership, operation, or control of
140 the predecessor manufacturer by sale or transfer of assets,
141 corporate stock, or other equity interest, assignment,
142 merger, consolidation, combination, joint venture,
143 redemption, court-approved sale, operation of law, or
144 otherwise;

145 (b) The termination, suspension or cessation of a part
146 or all of the business operations of the predecessor
147 manufacturer;

148 (c) The noncontinuation of the sale of the product
149 line; or

150 (d) A change in distribution system by the predecessor
151 manufacturer, whether through a change in distributor or the
152 predecessor manufacturer's decision to cease conducting
153 business through a distributor altogether.

407.1025. As used in sections 407.1025 to 407.1049,
2 unless the context otherwise requires, the following terms
3 mean:

4 (1) "Administrative hearing commission", the body
5 established in chapter 621 to conduct administrative
6 hearings;

7 (2) "All-terrain vehicle", any motorized vehicle
8 manufactured and used exclusively for off-highway use, with
9 an unladen dry weight of one thousand five hundred pounds or
10 less, traveling on three, four or more nonhighway tires,
11 with either:

12 (a) A seat designed to be straddled by the operator,
13 and handlebars for steering control, but excluding an
14 electric bicycle as defined in section 301.010; or

15 (b) A width of fifty inches or less, measured from
16 outside of tire rim to outside of tire rim, regardless of
17 seating or steering arrangement;

18 (3) "Coerce", to force a person to act in a given
19 manner or to compel by pressure or threat but shall not be
20 construed to include the following:

21 (a) Good faith recommendations, exposition, argument,
22 persuasion or attempts at persuasion;

23 (b) Notice given in good faith to any franchisee of
24 such franchisee's violation of terms or provisions of such
25 franchise or contractual agreement;

26 (c) Any other conduct set forth in section 407.1043 as
27 a defense to an action brought pursuant to sections 407.1025
28 to 407.1049; or

29 (d) Any other conduct set forth in sections 407.1025
30 to 407.1049 that is permitted of the franchisor or is
31 expressly excluded from coercion or a violation of sections
32 407.1025 to 407.1049;

33 (4) "Franchise", a written arrangement or contract for
34 a definite or indefinite period, in which a person grants to
35 another person a license to use, or the right to grant to
36 others a license to use, a trade name, trademark, service
37 mark, or related characteristics, in which there is a
38 community of interest in the marketing of goods or services,
39 or both, at wholesale or retail, by agreement, lease or
40 otherwise, and in which the operation of the franchisee's
41 business with respect to such franchise is substantially
42 reliant on the franchisor for the continued supply of
43 franchised new motorcycles or all-terrain vehicles, parts
44 and accessories for sale at wholesale or retail;

45 (5) "Franchisee", a person to whom a franchise is
46 granted;

47 (6) "Franchisor", a person who grants a franchise to
48 another person;

49 (7) "Motorcycle", a motor vehicle operated on two
50 wheels, but excluding an electric bicycle as defined in
51 section 301.010;

52 (8) "New", when referring to motorcycles or all-
53 terrain vehicles or parts, means those motorcycles or all-
54 terrain vehicles or parts which have not been held except as

55 inventory, as that term is defined in subdivision (4) of
56 section 400.9-109;

57 (9) "Person", a sole proprietor, partnership,
58 corporation, or any other form of business organization.

570.030. 1. A person commits the offense of stealing
2 if he or she:

3 (1) Appropriates property or services of another with
4 the purpose to deprive him or her thereof, either without
5 his or her consent or by means of deceit or coercion;

6 (2) Attempts to appropriate anhydrous ammonia or
7 liquid nitrogen of another with the purpose to deprive him
8 or her thereof, either without his or her consent or by
9 means of deceit or coercion; or

10 (3) For the purpose of depriving the owner of a lawful
11 interest therein, receives, retains or disposes of property
12 of another knowing that it has been stolen, or believing
13 that it has been stolen.

14 2. The offense of stealing is a class A felony if the
15 property appropriated consists of any of the following
16 containing any amount of anhydrous ammonia: a tank truck,
17 tank trailer, rail tank car, bulk storage tank, field nurse,
18 field tank or field applicator.

19 3. The offense of stealing is a class B felony if:

20 (1) The property appropriated or attempted to be
21 appropriated consists of any amount of anhydrous ammonia or
22 liquid nitrogen;

23 (2) The property consists of any animal considered
24 livestock as the term livestock is defined in section
25 144.010, or any captive wildlife held under permit issued by
26 the conservation commission, and the value of the animal or
27 animals appropriated exceeds three thousand dollars and that
28 person has previously been found guilty of appropriating any
29 animal considered livestock or captive wildlife held under

30 permit issued by the conservation commission.

31 Notwithstanding any provision of law to the contrary, such
32 person shall serve a minimum prison term of not less than
33 eighty percent of his or her sentence before he or she is
34 eligible for probation, parole, conditional release, or
35 other early release by the department of corrections;

36 (3) A person appropriates property consisting of a
37 motor vehicle, watercraft, or aircraft, and that person has
38 previously been found guilty of two stealing-related
39 offenses committed on two separate occasions where such
40 offenses occurred within ten years of the date of occurrence
41 of the present offense;

42 (4) The property appropriated or attempted to be
43 appropriated consists of any animal considered livestock as
44 the term is defined in section 144.010 if the value of the
45 livestock exceeds ten thousand dollars; or

46 (5) The property appropriated or attempted to be
47 appropriated is owned by or in the custody of a financial
48 institution and the property is taken or attempted to be
49 taken physically from an individual person to deprive the
50 owner or custodian of the property.

51 4. The offense of stealing is a class C felony if the
52 value of the property or services appropriated is twenty-
53 five thousand dollars or more.

54 5. The offense of stealing is a class D felony if:

55 (1) The value of the property or services appropriated
56 is seven hundred fifty dollars or more;

57 (2) The offender physically takes the property
58 appropriated from the person of the victim; or

59 (3) The property appropriated consists of:

60 (a) Any motor vehicle, watercraft or aircraft;

61 (b) Any will or unrecorded deed affecting real
62 property;

- 63 (c) Any credit device, debit device or letter of
64 credit;
- 65 (d) Any firearms;
- 66 (e) Any explosive weapon as defined in section 571.010;
- 67 (f) Any United States national flag designed, intended
68 and used for display on buildings or stationary flagstaffs
69 in the open;
- 70 (g) Any original copy of an act, bill or resolution,
71 introduced or acted upon by the legislature of the state of
72 Missouri;
- 73 (h) Any pleading, notice, judgment or any other record
74 or entry of any court of this state, any other state or of
75 the United States;
- 76 (i) Any book of registration or list of voters
77 required by chapter 115;
- 78 (j) Any animal considered livestock as that term is
79 defined in section 144.010;
- 80 (k) Any live fish raised for commercial sale with a
81 value of seventy-five dollars or more;
- 82 (l) Any captive wildlife held under permit issued by
83 the conservation commission;
- 84 (m) Any controlled substance as defined by section
85 195.010;
- 86 (n) Ammonium nitrate;
- 87 (o) Any wire, electrical transformer, or metallic wire
88 associated with transmitting telecommunications, video,
89 internet, or voice over internet protocol service, or any
90 other device or pipe that is associated with conducting
91 electricity or transporting natural gas or other combustible
92 fuels; or
- 93 (p) Any material appropriated with the intent to use
94 such material to manufacture, compound, produce, prepare,

95 test or analyze amphetamine or methamphetamine or any of
96 their analogues.

97 6. The offense of stealing is a class E felony if:

98 (1) The property appropriated is an animal; [or]

99 (2) The property is a catalytic converter; or

100 (3) A person has previously been found guilty of three
101 stealing-related offenses committed on three separate
102 occasions where such offenses occurred within ten years of
103 the date of occurrence of the present offense.

104 7. The offense of stealing is a class D misdemeanor if
105 the property is not of a type listed in subsection 2, 3, 5,
106 or 6 of this section, the property appropriated has a value
107 of less than one hundred fifty dollars, and the person has
108 no previous findings of guilt for a stealing-related offense.

109 8. The offense of stealing is a class A misdemeanor if
110 no other penalty is specified in this section.

111 9. If a violation of this section is subject to
112 enhanced punishment based on prior findings of guilt, such
113 findings of guilt shall be pleaded and proven in the same
114 manner as required by section 558.021.

115 10. The appropriation of any property or services of a
116 type listed in subsection 2, 3, 5, or 6 of this section or
117 of a value of seven hundred fifty dollars or more may be
118 considered a separate felony and may be charged in separate
119 counts.

120 11. The value of property or services appropriated
121 pursuant to one scheme or course of conduct, whether from
122 the same or several owners and whether at the same or
123 different times, constitutes a single criminal episode and
124 may be aggregated in determining the grade of the offense,
125 except as set forth in subsection 10 of this section.

578.120. 1. Notwithstanding any provision in this
2 chapter to the contrary, no dealer, distributor or

3 manufacturer licensed under section 301.559 may keep open,
4 operate, or assist in keeping open or operating any
5 established place of business for the purpose of buying,
6 selling, bartering or exchanging, or offering for sale,
7 barter or exchange, any motor vehicle, whether new or used,
8 on Sunday. However, this section does not apply to the sale
9 of manufactured housing; the sale of recreational motor
10 vehicles; the sale of motorcycles as that term is defined in
11 section 301.010; the sale of motortricycles, motorized
12 bicycles, electric bicycles as defined in section 300.010,
13 all-terrain vehicles, recreational off-highway vehicles,
14 utility vehicles, personal watercraft, or other motorized
15 vehicles customarily sold by powersports dealers licensed
16 pursuant to sections 301.550 to 301.560; washing, towing,
17 wrecking or repairing operations; the sale of petroleum
18 products, tires, and repair parts and accessories; or new
19 vehicle shows or displays participated in by five or more
20 franchised dealers or in towns or cities with five or fewer
21 dealers, a majority.

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

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

643.315. 1. Except as provided in sections 643.300 to
2 643.355, all motor vehicles which are domiciled, registered
3 or primarily operated in an area for which the commission
4 has established a motor vehicle emissions inspection program

5 pursuant to sections 643.300 to 643.355 shall be inspected
6 and approved prior to sale or transfer; provided that, if
7 such vehicle is inspected and approved prior to sale or
8 transfer, such vehicle shall not be subject to another
9 emissions inspection for ninety days after the date of sale
10 or transfer of such vehicle. [In addition, any such vehicle
11 manufactured as an even-numbered model year vehicle shall be
12 inspected and approved under the emissions inspection
13 program established pursuant to sections 643.300 to 643.355
14 in each even-numbered calendar year and any such vehicle
15 manufactured as an odd-numbered model year vehicle shall be
16 inspected and approved under the emissions inspection
17 program established pursuant to sections 643.300 to 643.355
18 in each odd-numbered calendar year.] All motor vehicles
19 subject to the inspection requirements of sections 643.300
20 to 643.355 shall display a valid emissions inspection
21 sticker, and when applicable, a valid emissions inspection
22 certificate shall be presented at the time of registration,
23 or at least biennially for registration renewal, of such
24 motor vehicle. The department of revenue shall require
25 evidence of the safety and emission inspection and approval
26 required by this section in issuing the motor vehicle
27 [annual] registration in conformity with the procedure
28 required by sections 307.350 to 307.390 and sections 643.300
29 to 643.355. The director of revenue may verify that a
30 successful safety and emissions inspection was completed via
31 electronic means.

32 2. The inspection requirement of subsection 1 of this
33 section shall apply to all motor vehicles except:

34 (1) Motor vehicles with a manufacturer's gross vehicle
35 weight rating in excess of eight thousand five hundred
36 pounds;

37 (2) Motorcycles and motortricycles if such vehicles
38 are exempted from the motor vehicle emissions inspection
39 under federal regulation and approved by the commission by
40 rule;

41 (3) Model year vehicles manufactured prior to 1996;

42 (4) Vehicles which are powered exclusively by electric
43 or hydrogen power or by fuels other than gasoline which are
44 exempted from the motor vehicle emissions inspection under
45 federal regulation and approved by the commission by rule;

46 (5) Motor vehicles registered in an area subject to
47 the inspection requirements of sections 643.300 to 643.355
48 which are domiciled and operated exclusively in an area of
49 the state not subject to the inspection requirements of
50 sections 643.300 to 643.355, but only if the owner of such
51 vehicle presents to the department an affidavit that the
52 vehicle will be operated exclusively in an area of the state
53 not subject to the inspection requirements of sections
54 643.300 to 643.355 for the next twenty-four months, and the
55 owner applies for and receives a waiver which shall be
56 presented at the time of registration or registration
57 renewal;

58 (6) New and unused motor vehicles, of model years of
59 the current calendar year and of any calendar year within
60 two years of such calendar year, which have an odometer
61 reading of less than six thousand miles at the time of
62 original sale by a motor vehicle manufacturer or licensed
63 motor vehicle dealer to the first user;

64 (7) Historic motor vehicles registered pursuant to
65 section 301.131;

66 (8) School buses;

67 (9) Heavy-duty diesel-powered vehicles with a gross
68 vehicle weight rating in excess of eight thousand five
69 hundred pounds;

70 (10) New motor vehicles that have not been previously
71 titled and registered, for the four-year period following
72 their model year of manufacture, provided the odometer
73 reading for such motor vehicles are under forty thousand
74 miles at their first required biennial safety inspection
75 conducted under sections 307.350 to 307.390; otherwise such
76 motor vehicles shall be subject to the emissions inspection
77 requirements of subsection 1 of this section during the same
78 period that the biennial safety inspection is conducted;

79 (11) Motor vehicles that are driven fewer than twelve
80 thousand miles between biennial safety inspections; and

81 (12) Qualified plug-in electric drive vehicles. For
82 the purposes of this section, "qualified plug-in electric
83 drive vehicle" shall mean a plug-in electric drive vehicle
84 that is made by a manufacturer, has not been modified from
85 original manufacturer specifications, and can operate solely
86 on electric power and is capable of recharging its battery
87 from an on-board generation source and an off-board
88 electricity source.

89 3. The commission may, by rule, allow inspection
90 reciprocity with other states having equivalent or more
91 stringent testing and waiver requirements than those
92 established pursuant to sections 643.300 to 643.355.

93 4. (1) At the time of sale, a licensed motor vehicle
94 dealer, as defined in section 301.550, may choose to sell a
95 motor vehicle subject to the inspection requirements of
96 sections 643.300 to 643.355 either:

97 (a) With prior inspection and approval as provided in
98 subdivision (2) of this subsection; or

99 (b) Without prior inspection and approval as provided
100 in subdivision (3) of this subsection.

101 (2) If the dealer chooses to sell the vehicle with
102 prior inspection and approval, the dealer shall disclose, in

103 writing, prior to sale, whether the vehicle obtained
104 approval by meeting the emissions standards established
105 pursuant to sections 643.300 to 643.355 or by obtaining a
106 waiver pursuant to section 643.335. A vehicle sold pursuant
107 to this subdivision by a licensed motor vehicle dealer shall
108 be inspected and approved within the one hundred twenty days
109 immediately preceding the date of sale, and, for the purpose
110 of registration of such vehicle, such inspection shall be
111 considered timely.

112 (3) If the dealer chooses to sell the vehicle without
113 prior inspection and approval, the purchaser may return the
114 vehicle within ten days of the date of purchase, provided
115 that the vehicle has no more than one thousand additional
116 miles since the time of sale, if the vehicle fails, upon
117 inspection, to meet the emissions standards specified by the
118 commission and the dealer shall have the vehicle inspected
119 and approved without the option for a waiver of the
120 emissions standard and return the vehicle to the purchaser
121 with a valid emissions certificate and sticker within five
122 working days or the purchaser and dealer may enter into any
123 other mutually acceptable agreement. If the dealer chooses
124 to sell the vehicle without prior inspection and approval,
125 the dealer shall disclose conspicuously on the sales
126 contract and bill of sale that the purchaser has the option
127 to return the vehicle within ten days, provided that the
128 vehicle has no more than one thousand additional miles since
129 the time of sale, to have the dealer repair the vehicle and
130 provide an emissions certificate and sticker within five
131 working days if the vehicle fails, upon inspection, to meet
132 the emissions standards established by the commission, or
133 enter into any mutually acceptable agreement with the
134 dealer. A violation of this subdivision shall be an
135 unlawful practice as defined in section 407.020. No

136 emissions inspection shall be required pursuant to sections
137 643.300 to 643.360 for the sale of any motor vehicle which
138 may be sold without a certificate of inspection and
139 approval, as provided pursuant to subsection 2 of section
140 307.380.

Section 1. No business located within five hundred
2 feet of real property owned or leased by a hospital shall
3 offer overnight parking for commercial motor vehicles, as
4 defined in section 301.010, unless a public hearing is held
5 by the city council of the municipality in which the
6 business is located and all owners and lessors of real
7 property located within five hundred feet of the business
8 property have been timely notified of such public hearing
9 and given an opportunity to be heard at such public hearing.

Section B. Because of the importance of combating
2 human trafficking, and because of the importance of securing
3 federal highway funding to maintain a safe and adequate
4 system of highways in this state, the repeal and reenactment
5 of sections 301.192, 301.280, 302.755, 407.526, 407.536, and
6 407.556 of this act is deemed necessary for the immediate
7 preservation of the public health, welfare, peace, and
8 safety, and is hereby declared to be an emergency act within
9 the meaning of the constitution, and the repeal and
10 reenactment of sections 301.192, 301.280, 302.755, 407.526,
11 407.536, and 407.556 of this act shall be in full force and
12 effect upon its passage and approval.