

House _____ Amendment NO. _____

Offered By

1 AMEND House Bill No. 661, Page 1, Section A, Line 2, by inserting after all of said section and
2 line the following:

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

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

9 (a) A seat designed to be straddled by the operator, and handlebars for steering control; or

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

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

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

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

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

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

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

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

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

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

36 (11) "Dealer", any person, firm, corporation, association, agent or subagent engaged in the

Action Taken _____ Date _____

1 sale or exchange of new, used or reconstructed motor vehicles or trailers;

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

3 (13) "Driveaway operation":

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

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

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

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

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

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

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

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

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

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

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

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

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

35 (24) "Junk vehicle", a vehicle which:

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

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

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

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

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

49 (b) An area that extends not more than a radius of fifty miles from its home base of

1 operations when transporting its owner's machinery, equipment, or auxiliary supplies to or from
2 projects not involving soil and water conservation.
3

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

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

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

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

38 (30) "Local transit bus", a bus whose operations are confined wholly within a municipal
39 corporation, or wholly within a municipal corporation and a commercial zone, as defined in section
40 390.020, adjacent thereto, forming a part of a public transportation system within such municipal
41 corporation and such municipal corporation and adjacent commercial zone;

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

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

49 (33) "Manufacturer", any person, firm, corporation or association engaged in the business of

1 manufacturing or assembling motor vehicles, trailers or vessels for sale;

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

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

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

10 (a) Offered for hire or lease; or

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

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

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

17 (39) "Motortricycle", a motor vehicle upon which the operator straddles or sits astride that is
18 designed to be controlled by handle bars and is operated on three wheels, including a motorcycle
19 while operated with any conveyance, temporary or otherwise, requiring the use of a third wheel. A
20 motortricycle shall not be included in the definition of all-terrain vehicle;

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

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

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

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

26 (44) "Owner", any person, firm, corporation or association, who holds the legal title to a
27 vehicle or who has executed a buyer's order or retail installment sales contract with a motor vehicle
28 dealer licensed under sections 301.550 to 301.580 for the purchase of a vehicle with an immediate
29 right of possession vested in the transferee, or in the event a vehicle is the subject of an agreement
30 for the conditional sale or lease thereof with the right of purchase upon performance of the
31 conditions stated in the agreement and with an immediate right of possession vested in the
32 conditional vendee or lessee, or in the event a mortgagor of a vehicle is entitled to possession, then
33 such conditional vendee or lessee or mortgagor shall be deemed the owner;

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

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

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

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

47 (49) "Recreational off-highway vehicle", any motorized vehicle manufactured and used
48 exclusively for off-highway use which is more than fifty inches but no more than eighty inches in
49 width, measured from outside of tire rim to outside of tire rim, with an unladen dry weight of three

1 thousand five hundred pounds or less, traveling on four or more nonhighway tires and which may
2 have access to ATV trails;

3 (50) "Recreational trailer", any trailer designed, constructed, or substantially modified so
4 that it may be used and is used for the purpose of temporary housing quarters, including therein
5 sleeping or eating facilities, which can be temporarily attached to a motor vehicle or attached to a
6 unit which is securely attached to a motor vehicle;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

47 (57) "Shuttle bus", a motor vehicle used or maintained by any person, firm, or corporation
48 as an incidental service to transport patrons or customers of the regular business of such person,
49 firm, or corporation to and from the place of business of the person, firm, or corporation providing

1 the service at no fee or charge. Shuttle buses shall not be registered as buses or as commercial
2 motor vehicles;

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

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

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

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

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

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

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

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

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

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

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

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

48 (70) "Utility vehicle", any motorized vehicle manufactured and used exclusively for off-
49 highway use which is more than fifty inches but no more than eighty inches in width, measured

1 from outside of tire rim to outside of tire rim, with an unladen dry weight of three thousand five
 2 hundred pounds or less, traveling on four or six wheels, to be used primarily for landscaping, lawn
 3 care, or maintenance purposes;

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

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

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

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

25
 26 Further amend said bill, Page 3, Section 302.755, Line 81, by inserting after all of said section and
 27 line the following:

28
 29 "307.128. 1. A headlamp on a motorcycle may be wired to modulate either the upper beam
 30 or the lower beam from its maximum intensity to a lesser intensity provided that:

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

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

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

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

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

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

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

1 2. Each motorcycle headlamp modulator not intended as original equipment, or its
2 container, shall be labeled with the maximum wattage, and the minimum wattage appropriate for its
3 use. Additionally, each such modulator shall comply with the provisions of subdivisions (1) to (7)
4 of subsection 1 of this section when connected to a headlamp of the maximum-rated power and
5 headlamp of the minimum-rated power, and shall provide means so that the modulated beam
6 functions at design voltage when the modulator is off. Instructions, with a diagram, shall be
7 provided for mounting the light sensor including location on the motorcycle, distance above the road
8 surface, and orientation with respect to the light.

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

12 (1) ~~[Amber and white illumination]~~ Any color illumination;

13 (2) Standard bulb running lights; or

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

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

16 (1) Nonblinking;

17 (2) Nonflashing;

18 (3) Nonoscillating; and

19 (4) Directed toward the engine and the drive train of the motorcycle to prevent interference
20 with the driver's operation of the vehicle."; and

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