

FIRST REGULAR SESSION

HOUSE BILL NO. 945

96TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVES CARTER (Sponsor), NASHEED, JONES (117), HOUGH, WEBB, FRAKER, FITZWATER, KEENEY, PHILLIPS, DUGGER, LARGENT, HUBBARD, MONTECILLO, MAY, HUMMEL, SCHUPP, MEADOWS, PACE AND JONES (63) (Co-sponsors).

2094L.011

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To repeal section 390.030, RSMo, and to enact in lieu thereof one new section relating to motor carrier exemptions.

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

- Section A. Section 390.030, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 390.030, to read as follows:
- 390.030. 1. The provisions of this chapter shall not apply to:
- 2 (1) School buses;
 - 3 (2) Taxicabs;
 - 4 (3) Motor vehicles while being used exclusively to transport:
 - 5 (a) Stocker and feeder livestock from farm to farm, or from market to farm,
 - 6 (b) Farm or dairy products including livestock from a farm or dairy,
 - 7 (c) Agricultural limestone or fertilizer to farms,
 - 8 (d) Property from farm to farm,
 - 9 (e) Raw forest products from farm, or
 - 10 (f) Cotton, cottonseed, and cottonseed hulls;
 - 11 (4) Motor vehicles when operated under contract with the federal government for
 - 12 carrying the United States mail and when on a trip provided in the contract;
 - 13 (5) Motor vehicles used solely in the distribution of newspapers from the publisher to
 - 14 subscribers or distributors;

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

15 (6) The transportation of passengers or property performed by a carrier pursuant to a
16 contract between the carrier and the state of Missouri or any civil subdivision thereof, where the
17 transportation services are paid directly to the carrier by the state of Missouri or civil
18 subdivision;

19 (7) Freight-carrying motor vehicles duly registered and licensed in conformity with the
20 provisions of chapter 301 for a gross weight of six thousand pounds or less;

21 (8) The transportation of passengers or property wholly within a municipality, or
22 between contiguous municipalities, or within a commercial zone as defined in section 390.020,
23 or within a commercial zone established by the division of motor carrier and railroad safety
24 pursuant to the provisions of subdivision (4) of section 390.041; provided, the exemption in this
25 subdivision shall not apply to motor carriers of persons operating to, from or between points
26 located wholly or in part in counties now or hereafter having a population of more than three
27 hundred thousand persons, where such points are not within the same municipality and to motor
28 carriers of commodities in bulk to include liquids, in tank or hopper type vehicles, and in a
29 commercial zone as defined herein or by the division;

30 (9) Street railroads and public utilities other than common carriers as defined in section
31 386.020;

32 (10) Motor vehicles whose operations in the state of Missouri are interstate in character
33 and are limited exclusively to a municipality and its commercial zone;

34 (11) Motor vehicles, commonly known as tow trucks or wreckers, designed and
35 exclusively used in the business of towing or otherwise rendering assistance to abandoned,
36 disabled or wrecked vehicles;

37 (12) Motor vehicles while being used solely by a group of employees to commute to and
38 from their place or places of employment, except that the motor vehicle must be driven by a
39 member of the group;

40 **(13) Motor vehicles owned by a licensed funeral establishment used exclusively for**
41 **the provision of funeral service as defined in chapter 333.**

42 2. Nothing contained in this section shall be deemed to exempt the vehicles of driveway
43 operators.

44 3. Except for the provisions of subdivision (5) of section 390.041, the provisions of this
45 chapter shall not apply to private carriers.

46 4. No agency of state government nor any county or municipality or their agencies shall
47 discriminate against any motor carrier or private carrier or deny any such carrier operating a
48 motor vehicle public access to any building, facility or area owned by or operated for the public
49 unless such discrimination or denial is based solely on reasonable vehicle size or weight
50 considerations. The provisions of this subsection shall only apply in cities not within a county

51 and first class counties with a charter form of government which adjoin any city not within a
52 county.

53 5. Beginning January 1, 2008, the exemptions in subdivisions (8) and (10) of subsection
54 1 of this section shall not apply to intrastate motor carriers that transport household goods.

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