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**Rules of**  
**Missouri Department of Transportation**  
**Division 10—Missouri Highways and Transportation**  
**Commission**  
**Chapter 25—Motor Carrier Operations**

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## Title 7—MISSOURI DEPARTMENT OF TRANSPORTATION

### Division 10—Missouri Highways and Transportation Commission

#### Chapter 25—Motor Carrier Operations

##### 7 CSR 10-25.010 Skill Performance Evaluation Certificates For Commercial Drivers

*PURPOSE: This rule implements the provisions of section 622.555, RSMo, as enacted by House Bills No. 1270 and No. 2032, 91st General Assembly, Second Regular Session, 2002, by prescribing requirements relating to applications for skill performance evaluation certificates, and the issuance, renewal, suspension, and revocation of those certificates by the commission. These certificates authorize certain individuals, who cannot satisfy the physical qualifications generally required by federal regulations, to drive commercial motor vehicles in intrastate commerce if they satisfy alternative requirements, which demonstrate their ability to maintain an equivalent or greater level of safety while operating commercial motor vehicles.*

*PUBLISHER'S NOTE: The secretary of state has determined that the publication of the entire text of the material which is incorporated by reference as a portion of this rule would be unduly cumbersome or expensive. This material as incorporated by reference in this rule shall be maintained by the agency at its headquarters and shall be made available to the public for inspection and copying at no more than the actual cost of reproduction. This note applies only to the reference material. The entire text of the rule is printed here.*

(1) Definitions and Substitutions. Except when the context clearly suggests otherwise, the words and terms used in this rule, or in any federal regulation incorporated by reference in this rule, shall have the meaning stated in this section.

(A) Whenever the terms “application,” “letter of application,” “written request,” or any similar terms used in the federal regulation refer to a document to be filed with a federal agency or official, the word “application” shall be substituted for those terms, which means a writing filed with the director, which shall contain all information required to complete the applicable form provided for that purpose by the department.

(B) Whenever the term “commercial motor vehicle” is used in the federal regulation, the term shall include any motor vehicle, or the operator or driver of any motor vehicle, within the jurisdiction of the commission pursuant to the provisions of section 226.008, RSMo.

(C) The word “commission” means the Missouri Highways and Transportation Commission.

(D) The word “department” means the Missouri Department of Transportation.

(E) The word “director” means the director of Motor Carrier Services of the Missouri Department of Transportation.

(F) Except for subsection (4)(A) and section (6) of this rule, whenever the term “exemption” is used in this rule, the term “SPE certificate” shall be substituted for the term “exemption.”

(G) Whenever the term “FMCSA,” “field service center, FMCSA,” or any comparable term is used in the federal regulation, then the words “Missouri Department of Transportation, Motor Carrier Services” shall be substituted for those terms. If the federal regulation prescribes an address applicable to any of these terms, then the current business address of the director of Motor Carrier Services shall be substituted for that address.

(H) Whenever the terms “Federal Motor Carrier Safety Administrator,” “Federal Highway Administrator,” “State Director, FMCSA,” or any comparable terms are used in the federal regulation, then the words “Missouri Department of Transportation, director of Motor Carrier Services” shall be substituted for those terms. If the federal regulation prescribes an address applicable to any of these terms, then the current business address of the director of Motor Carrier Services shall be substituted for that address.

(I) Whenever the word “interstate” is used in the federal regulation, the word “intrastate” shall be substituted for “interstate.”

(J) The word “SPE certificate” means a skill performance evaluation certificate as defined in subsection 4 of section 622.555, RSMo. Publication of a *Missouri Register* notice of application for SPE Certificates is not required.

(2) Delegation of Authority. The commission authorizes the director to administer the skill performance evaluation program for intrastate drivers of commercial motor vehicles, as provided in sections 622.027 and 622.555, RSMo, and this rule. The director, at his/her discretion, may delegate any part of this authority to other department personnel.

(3) Filing and Determination of Applications; Demonstration and Verification of Ability to Operate Commercial Motor Vehicles. Applications for an intrastate SPE certificate, and related documents, and information reasonably required by the director, shall be filed at PO Box 270, Jefferson City, MO 65102. Every application shall include all information and supporting documents required by

section 622.555, RSMo, this rule, and the “Application for Skill Performance Evaluation Certificate.” The application and accompanying instructions are incorporated herein by reference and made a part of this rule as published on November 19, 2018 by the Missouri Department of Transportation Motor Carrier Services Division, PO Box 270, Jefferson City, MO 65102. This rule does not incorporate any subsequent amendments or additions of the application and instructions.

(A) The director may dismiss, grant, or deny applications for SPE certificates, in accordance with the provisions of section 622.555, RSMo, and this rule.

(B) The director may issue SPE certificates that include reasonable limitations, conditions, and requirements to protect public safety, or to promote the department’s effective administration of SPE certificates, or both.

(C) At any time while an application is pending, or after the person is issued a SPE certificate, the director may require the person to demonstrate or verify the person’s present ability to operate a commercial motor vehicle safely with his/her physical deficiency or impairment. These requirements may include:

1. Successfully completing a road test, using a commercial motor vehicle and associated equipment of the type which the applicant drives or seeks to drive pursuant to the SPE certificate;

2. Obtaining additional or periodic physical examinations by a physiatrist; orthopedic surgeon; audiologist, otolaryngologist; ophthalmologist; or optometrist; and

3. Filing additional or periodic reports with the director concerning the person’s medical, hearing or vision examinations, treatment, prognosis, employment, driving record, accidents, traffic violations, and other pertinent information.

(4) Physical Deficiencies. Persons who are physically unqualified to drive commercial motor vehicles pursuant to any provision of Title 49, *Code of Federal Regulations* (CFR), section 391.41(b) may apply for intrastate SPE certificates, and the director may issue intrastate SPE certificates to those applicants, only if—

(A) The Federal Motor Carrier Safety Administration (FMCSA) is currently administering a program for issuing SPE certificates, or exemptions from the physical qualification requirements, to interstate drivers who are physically unqualified because of the same physical deficiency or impairment affecting the applicant; except that a FMCSA exemption from 49 CFR section 391.41(b)(8)



will not authorize the issuance of a SPE certificate for Missouri intrastate operation;

(B) The applicant files an application for SPE certificate with the director, which conforms to all applicable requirements of section 622.555, RSMo, and this rule, and conforms to the same standards and procedures that are applicable under FMCSA's comparable interstate SPE certificate or exception program, as modified and supplemented by any applicable provisions of section 622.555, RSMo, or this rule; and

(C) With the exception of Subpart C, section 381.315, the commission incorporates by reference, and makes a part of this rule, the provisions of Title 49, CFR Part 381 as published by the United States Government Printing Office, 732 North Capitol Street NW, Washington DC 20401, on October 1, 2018. The commission also incorporates by reference, and makes a part of this rule, the provisions of Title 49 CFR Subpart 391.41 as published by the United States Government Printing Office, 732 North Capitol Street NW, Washington, DC 20401, on October 1, 2018. The commission also incorporates by reference, and makes a part of this rule, the provisions of Title 49 CFR Subpart 391.49 as published by the United States Government Printing Office, 732 North Capitol Street NW, Washington, DC 20401, on October 1, 2018. This rule does not incorporate any subsequent amendments or additions to 49 CFR Part 381 Subpart 391.41, and Subpart 391.49.

(5) Multiple Physical Conditions. The director may deny applications for SPE certificates, and may suspend or revoke SPE certificates, regarding any person who is not physically qualified pursuant to the requirements of two (2) or more separate paragraphs within subsection (b) of 49 CFR section 391.41, except a person who is physically unqualified only pursuant to paragraphs (1) and (2) of that subsection.

(6) Federal Exemption or SPE Certification. Upon the filing of an application containing such information as the director may require, the director may waive any procedural requirements pursuant to this rule and shall issue an intrastate SPE certificate to any driver who is authorized to operate commercial motor vehicles in interstate commerce by a currently valid SPE certificate, or hearing, or vision exemption issued by the FMCSA. Each SPE certificate issued pursuant to this section shall be conditioned upon the driver's continued possession of the federal SPE certificate in good standing, and the driver's compliance with all applicable requirements, including all conditions specified in the driv-

er's federal SPE certificate, and any other conditions imposed by the director.

(7) Operation in Conformity with Terms of SPE Certificate. No person shall operate a commercial motor vehicle by authority of any SPE certificate issued pursuant to this rule, unless the vehicle is operated in conformity with all limitations, requirements, and other terms specified in that SPE certificate.

(8) Suspension and Revocation. For good cause, the director may revoke a person's SPE certificate after notice and an opportunity for hearing before the Administrative Hearing Commission, or may suspend the certificate until it is determined whether the certificate should be revoked.

*AUTHORITY: sections 226.008 and 622.555, RSMo 2016. \* Emergency rule filed June 6, 2003, effective June 16, 2003, expired Feb. 26, 2004. Original rule filed June 6, 2003, effective Dec. 30, 2003. Amended: Filed Oct. 14, 2016, effective July 30, 2017. Amended: Filed March 6, 2020, effective Oct. 30, 2020.*

*\*Original authority: 226.008, RSMo 2002, amended 2014 and 622.555, RSMo 2002.*

#### **7 CSR 10-25.020 Oversize/Overweight Permits**

*PURPOSE: This rule provides a uniform system for issuing special permits to regulate vehicles used on the state highways which when loaded exceed the limitations on length, width, height, and weight established in Chapter 304, RSMo.*

*PUBLISHER'S NOTE: The secretary of state has determined that the publication of the entire text of the material which is incorporated by reference as a portion of this rule would be unduly cumbersome or expensive. This material as incorporated by reference in this rule shall be maintained by the agency at its headquarters and shall be made available to the public for inspection and copying at no more than the actual cost of reproduction. This note applies only to the reference material. The entire text of the rule is printed here.*

(1) General Regulations for Oversize/Overweight Permits.

(A) In the design and fabrication of all vehicles, machinery, equipment, structures, buildings, or other units or components, careful consideration must be given to the legal and physical limitations applicable to all available forms of transportation between point of fabrication and the original or subse-

quent destinations.

(B) Permits will not be granted for travel on the state highway system for movement of a load reducible in size or weight, except for—

1. Farm products (hay), and farm equipment with dual tires, and construction equipment with blade/bucket attached, but only as permitted in sections (6) and (10);

2. Emergency response vehicles loaded with salt, sand, chemicals, or a combination thereof, with or without a plow or blade attached in front, and being used for the purpose of spreading the material on state highways that are or may become slick or icy;

3. Military vehicles transporting marked military equipment or material. Reducible portions of any oversize or overweight load shall include, but are not limited to, any attachment, accessory, member, or assembly designed to be detached with hand tools; or

4. A vehicle carrying raw fluid milk products from a farm and/or raw milk products to or from a milk plant, receiving station or transfer station.

(C) Unladen vehicles or combinations are to comply with legal size and weight limitations as listed in Chapter 304 of the *Missouri Revised Statutes* unless exceptions can be justified by safety considerations based on an oversize or overweight object to be transported by the vehicle.

(D) Economic factors in either the saving of time or costs for routing will not be considered of primary importance in the routing process, and the department reserves the right to designate routing and travel time for all movements. Safety, structure capacities and clearances, roadway widths, and traffic volumes will all be considered in route determination. The routing will use the designated state highway system and be as direct as possible. When other streets or highways off the state highway system are used, it will be the responsibility of the applicant to obtain approval from the agency responsible for that off-state highway and adhere to all bridge capacity postings off the state highway system.

(E) Limitations for all oversize and overweight load movements will be determined by the least hazardous road conditions and volume of traffic which will be encountered and the practical capacity of the roadway, structures, and the vehicle involved, based upon axle loads. All responses to requests for routing approval prior to application are furnished for general information only. Due to constantly changing highway conditions, such routing approval is subject to change without notice.



(F) Exceptions may be made for feasible oversize and/or overweight movements certified as essential to national defense, upon receipt of written documentation by designated officials within the Defense Department.

(G) Permits may specify maximum and minimum speeds to reduce hazards or control impact factors on pavement or structures and may specify lane restrictions while crossing structures to provide for better load distribution to the structural members of that structure. Power units shall have sufficient weight and power to handle the load safely and maintain reasonable speeds.

(H) Each single trip permit covers the movement of one (1) load only, between one (1) origin and one (1) destination, except for the multi-stop permit designed for transportation of farm implement delivery only (legal loads are not considered for multi-stop permits since permits are not required for legal loads). Moves must be completed in seven (7) moving days.

(I) Movement is restricted on the following holidays: New Year's Day (January 1), Memorial Day (last Monday in May), Independence Day (July 4), Labor Day (first Monday in September), Thanksgiving Day (fourth Thursday in November), and Christmas Day (December 25).

1. The restriction for Thanksgiving will begin at 12:00 noon on Wednesday and apply until one-half (1/2) hour before sunrise on the following Monday.

2. When Christmas falls on Saturday, the restriction will begin at 12:00 noon on the preceding Friday. Movement will resume one-half (1/2) hour before sunrise the following Monday. When Christmas falls on Sunday, the restriction will begin at 12:00 noon on the preceding Friday. Movement will resume one-half (1/2) hour before sunrise the following Tuesday.

3. In the event New Year's Day and/or Independence Day fall on Saturday, the restriction begins at 12:00 noon on the preceding Friday. Movement will resume one-half (1/2) hour before sunrise the following Sunday. If New Year's Day and/or Independence Day fall on Sunday, the restriction begins at 12:00 noon on the preceding Saturday. Movement will resume one-half (1/2) hour before sunrise the following Monday.

4. On all weekday holidays, the restriction will begin at 12:00 noon on the day preceding the holiday. Movement will resume one-half (1/2) hour before sunrise on the day following the holiday.

(J) The permittee may travel a distance of one (1) mile onto another contiguous state highway for food, fuel, repairs, and rest, provided that no structures are crossed, no post-

ed weight limits are exceeded, travel under overhead structures can be completed safely, and oversize loads do not cause an obstruction. All other provisions of the permit must be followed.

(K) Travel under permit must be with properly licensed, insured, and permitted vehicles under Chapters 260, 301 through 307, 390, and 622 of the *Missouri Revised Statutes*, and vehicles must be licensed for maximum weights in order to obtain overweight permits.

(2) Financial Responsibility.

(A) An applicant for an oversize/overweight permit shall have coverage for bodily injury to, or death of, an individual and for loss or damage to property. Coverage shall be effective during all of the applicant's oversize/overweight operations authorized under such permit covering each motor vehicle operating under the authority of the applicant's permit in amounts not less than the following:

**SCHEDULE OF MINIMUM LIMITS OF COMBINED SINGLE LIMIT AUTOMOBILE LIABILITY**

Type of Move	Amount
1) Routine	\$750,000
2) Super Heavy and Large Loads	\$2,000,000
3) Noncommercial Building (House) Movement	\$2,000,000

(B) Cargo. Any automobile insurance policy required under this administrative rule shall not include coverage of the cargo transported under the permit, and instead, any cargo transported by the applicant under a permit issued under this administrative rule shall be insured under a separate insurance policy.

(C) Failure to Comply. The Motor Carrier Services' director or his/her representative may reject an applicant's request for a permit or suspend the applicant's privileges of obtaining oversize/overweight permits for failure to comply with this section of the rule.

(D) Excessive Overweight. Permits issued for excessive overweight may require additional financial responsibility to protect the state in regard to excessive damage to the state highway system and its facilities.

(E) Refer to subsection (8)(C) for financial responsibility for escorts.

(3) Agreements and Conditions.

(A) The permittee agrees to the following conditions when a permit is issued:

1. The permittee named therein agrees

to assume full responsibility for injury to persons or damage to public or private property, including the state highway system and its facilities, caused by the movement of the vehicle or its load under the special permit involved;

2. The permittee agrees to hold harmless the Missouri Highways and Transportation Commission, the Department of Transportation, the Missouri State Highway Patrol, their agents, servants, and employees, from any and all claims, judgments, damages, or expenses of any kind on the part of the applicant, permittee, or any person, firm, or corporation having an interest in either the vehicle, the load, or other property involved in the movement over the route prescribed in said permit;

3. The permittee, as a condition to the issuance of a special permit, agrees to indemnify the Missouri Highways and Transportation Commission, the Department of Transportation, the Missouri State Highway Patrol, their agents, servants, or employees, for any sums which it, its agents, servants, or employees are or may be required to expend in defense of any claims or actions for damages and to indemnify the Missouri Highways and Transportation Commission, the Department of Transportation, the Missouri State Highway Patrol, their agents, servants, or employees, arising out of the movement, under this special permit, of a vehicle or load over the route prescribed by the Missouri Department of Transportation, its agents, servants, or employees;

4. The permittee will cause the operators of all motor vehicles involved in the movement to take all necessary precautions to avoid hazards existing along the prescribed route, such as, but not limited to, construction projects, physical restrictions, or conditions which will not permit the movement of the vehicle and its load without detriment to the state highway or its drainage structure, signs, guardrails, signals, shoulders, pavement, right-of-way, or any other facility;

5. The permittee or their representative must physically drive the proposed route to be used prior to issuance and attest that all turns, curves, etc. can be safely negotiated if the load is greater than one hundred fifty feet (150') long. If the load encounters problems negotiating such route during transportation, the company will be charged new permit fees (including a bridge study analysis for superloads). In addition, penalties may be assessed and future permit applications may be denied;

6. Should the permittee or the permittee's officers, agents, employees, or operators encounter a condition on the route prescribed not contemplated by the permit, or signs or



markings indicating an emergency condition creating a reasonable doubt as to the continuance of the trip, the permittee, officer, agent, employee, or operator of the vehicle shall immediately notify the appropriate official or employee of Motor Carrier Services Division of the Missouri Department of Transportation for a suggested course of action. In any event, departure from a prescribed route, except by specific authorization of Motor Carrier Services Division, renders the permit void;

7. Any misrepresentation in the application for a special permit or any operation not made in strict compliance with the permit and not in compliance with 7 CSR 10-25.020, except as specifically exempted, is unlawful and renders the permit void;

8. Any permit used for a movement other than that for which granted, or any permit that has been altered, is void in its entirety and the movement involved will be in violation of the law, as though such permit had never been granted;

9. Permits voided by a violation shall be surrendered to any law enforcement officer or to any employee of the Missouri Department of Transportation;

10. A new permit and required fees covering the remainder of the movement will not be issued until all charges arising out of the violation have been satisfied and the routing or movement modified to meet the regulations established herein;

11. Permits are issued by authority of law only when the public safety or public interest justifies their issuance. Any misrepresentation in the application or violation of the terms of the permit may result in denial of future applications of the violator;

12. Permission is granted only for dimensions and up to the weight, as specified, and compliance in all other respects is required with Chapters 260, 301 through 307, 390, and 622 of the *Missouri Revised Statutes* as amended, all other applicable state and federal laws and rules and regulations of state and federal regulatory bodies; and

13. All permittees are responsible for the accuracy of their permits and shall notify the Missouri Department of Transportation, Motor Carrier Services Division of any inaccuracies before movement commences.

(B) In addition to these agreements and conditions, the following will apply:

1. All violations or misrepresentations will be recorded and the permittee will be notified in writing that future violations may result in a suspension or revocation of privileges;

2. Flagrant or repeated violations of permit restrictions and/or traffic safety laws in combination thereof are not in the interest of

public safety and the permittee will be advised in writing, if his/her record is such that future permits should not be granted in the opinion of the Missouri Department of Transportation. A suspension of such privilege shall last for two (2) weeks and a revocation of such privilege for one (1) year;

3. Suspensions, revocations, and reinstatements may be modified or rescinded by the Motor Carrier Services' director or his/her representative, and their decision shall be final.

(4) Permit Applications, Permit Transmissions, and Permit Fees.

(A) Application for an oversize permit must show the width, length, and height of the commodity being hauled as well as the overall width, overall length, and overall height. Application for an overweight permit must show axle loads and axle spacings measured center-to-center between each axle. Additional information may be required to complete the application.

(B) Special permit fees are payable prior to the issuance of the permit. If the permit becomes invalid for any reason, the original fee shall be nonrefundable and a new permit with fee will be necessary. Applicants are responsible for payment of permit fees for expired permits that are issued and left in approved status. The special permit fees are as follows:

1. Single trip oversize permits—\$15;

2. Single trip oversize permits in excess of sixteen feet (16') wide, sixteen feet (16') high, or one hundred fifty feet (150') long—\$15 plus \$250 movement feasibility fee;

3. Multi-stop oversize permit—\$25 (farm implements only);

4. Single trip overweight permits up to and including one hundred sixty thousand (160,000) pounds gross weight—\$15 plus \$20 per each ten thousand (10,000) pounds in excess of legal gross weight;

5. Single trip overweight permits in excess of one hundred sixty thousand (160,000) pounds gross weight—\$15 plus \$20 per each ten thousand (10,000) pounds in excess of legal gross weight plus bridge and roadway analysis fee of \$425 for each permit for moves from 0–50 miles in length; \$625 for 51–200 miles; \$925 for over 200 miles (see section (15)). Identical permit applications with identical vehicle configurations will only be charged one bridge and roadway analysis fee if the original bridge study is less than thirty (30) days old for loads in excess of three hundred thousand (300,000) pounds and if the original bridge study is less than sixty (60) days old for loads weighing less than three hundred thousand (300,000) pounds. An addi-

tional four hundred twenty-five dollar (\$425) bridge study fee will be charged if the applicant modifies dimensions or weights on an application and a new bridge analysis is required after the original analysis has been completed;

6. Annual blanket emergency overweight permit (round trip)—\$624 (fee will be prorated quarterly);

7. Annual blanket oversize permit—single commodity—\$128 (fee will be prorated quarterly);

8. Annual blanket oversize permit—multiple commodity—\$400 (fee will be prorated quarterly);

9. Annual blanket overweight well drillers or concrete pump truck permit—\$300 (fee will be prorated quarterly);

10. Annual blanket milk hauler permit—\$500 (fee will be prorated quarterly);

11. Thirty- (30-) day blanket permit—\$300;

12. Project permit—\$125;

13. Highway crossing permit—\$250;

14. Noncommercial building movement (in excess of routine dimensions)—\$265;

15. Single Trip Commercial Zone Bridge Analysis—\$265; and

16. Permit amendment fee—\$2. Single trip permits may only be amended within two (2) business days of permit start date. The start date and any other component will be amended if permit effective date is in the future. The permittee, origin, destination, and/or commodity being hauled/towed will not be amended if the permit is already in effect. Annual blanket permits may be amended one (1) time throughout the year for truck make and/or license.

(C) Fees shall not be required for permits covering the movement of vehicles and loads owned and operated by governmental subdivisions or agencies.

(D) Proper arrangement for payment of permit fee must be made either by use of escrow accounts, which must be in effect prior to permit application request (see section (5)), or by payment of the fee at the time of application.

(5) Escrow Accounts.

(A) An escrow account may be established with the Missouri Department of Transportation. The following conditions govern the establishment and maintenance of escrow accounts:

1. An escrow account may be applied for by submitting an application supplying all the necessary information. Applications may be obtained from the Missouri Department of Transportation, Motor Carrier Services Division, PO Box 270, Jefferson City, MO



65102, or online at [www.modot.org/mcs](http://www.modot.org/mcs);

2. The account holder is responsible for all charges filed against the account; and

3. An escrow account will remain open as long as there is a positive or zero balance. Upon written request, an account may be closed and the unused balance will be refunded.

(B) It is the responsibility of the account holder to maintain records of the balance remaining in the account. In the event there is a difference between the account holder's records and the department's records, a letter stating the difference shall be the basis for review and adjustment. The department's decision shall be final.

(C) The escrow account is nontransferable and shall be used for payment only. The account shall be reduced by the amount for each item issued or processed.

(6) Annual Blanket Permits. Blanket permits may be issued for moves up to and including twelve feet, four inches (12'4") in width and one hundred fifty feet, zero inches (150'0") in overall length. Height and weight shall be in accordance with Chapter 304 of the *Missouri Revised Statutes*. The fee schedule for blanket permits is outlined in subsection (4)(B). Separate permits are required for each power unit. To qualify for an annual blanket permit, insurance must be in force for the entire period (see section (2)) and vehicles must be properly licensed. All annual permits will expire at 12:00 a.m. on January 1 of the following year. Violation of a blanket permit shall be cause for revocation of the current blanket permit and may result in loss of the privilege of obtaining future blanket permits. Blanket permit moves shall be made in accordance with all other regulations and requirements. The permittee is required to obtain current travel restrictions prior to movement with blanket permits.

(A) These permits authorize travel over the state highway system only. Movement from origin to destination must be by the most feasible direct route. All conditions, safety considerations, bridge loading and clearance postings shall be complied with. The permittee shall properly warn traffic, adjust speed, and if necessary, stop traffic when crossing bridges where the load exceeds one-half (1/2) the roadway width of the bridge. Travel over structures on which load limits are posted for lesser weights is not allowed. Permittees traveling on interstate highways shall maintain the posted minimum speed.

(B) Single Commodity.

1. Manufactured and sectional home units. Annual blanket permits are available for the movement of manufactured and sectional home units up to and including twelve

feet four inches (12'4") in width and one hundred fifty feet, zero inches (150'0") in overall length. Height and weight shall be legal.

2. Farm products (hay). Annual blanket permits are available for farm products (hay) up to and including twelve feet four inches (12'4") in width. All other sizes and weight shall be legal. Farm products (hay) will not be required to comply with the reducible load requirement for width.

3. Farm implements and construction equipment. Annual blanket permits are available for these moves up to and including twelve feet four inches (12'4") in width and/or overall length up to a maximum of one hundred fifty feet, zero inches (150'0"). Height and weight shall be legal. Farm implements or equipment not designed for towing at highway speeds must be hauled. If the equipment is designed to be towed, it shall meet all regulatory safety requirements. Farm equipment with dual tires and construction equipment with blade/bucket attached will not be required to comply with the reducible load requirement for width.

4. One hundred- (100-) mile radius blanket permits for farmers and farm implement dealers. Annual blanket permits are available to farm implement dealers and farmers for movement of farm implements up to and including fourteen feet six inches (14'6") in width. All other dimensions and weight shall be legal. This blanket permit is only valid for moves within a one hundred- (100-) mile radius of permittee's principal place of business. All other permit regulations, including, but not limited to, times of travel, signing, and escorts, will apply. Farm implements not designed for towing at highway speeds must be hauled. If the equipment is designed to be towed, it shall meet all regulatory safety requirements.

5. Implements of husbandry and transporting vehicle. Annual blanket permits are available for movement up to and including twelve feet four inches (12'4") in width. All other dimensions and weight shall be legal. Implements of husbandry are machines designed specifically for the application of commercial plant-food materials or agricultural chemicals and off-road usage. Such units shall not operate under their own power on the interstate system.

6. Repeated moves of like objects. Annual blanket permits for the movement of specific nonreducible commodities may be issued to a maximum width of twelve feet four inches (12'4") and/or overall length up to a maximum of one hundred fifty feet, zero inches (150'0"). Height and weight shall be legal. The following items may be considered

like objects: boats, portable buildings, wood trusses, steel trusses, plates, beams, angles, pipe or piling, reinforcing steel mesh, rods or bars, tanks, mobile office trailers, grain carts, cotton trailers, park trailers, precast concrete panels, aluminum plates, wood beams, and concrete girders. This list is not all inclusive. The permit will describe and specify the object to be hauled. A blanket permit may be issued for the repeated movement of objects for permanent use in their transported form. Such objects may vary in size as long as the largest is within the width and/or length limit specified on the permit. Multi-piece loads must be nonreducible and nondivisible in dimension.

(C) Multiple Commodity. Annual blanket permits are available to haul any commodity up to and including twelve feet four inches (12'4") wide and one hundred fifty feet, zero inches (150'0") overall length. Height and weight shall be legal. Multi-piece loads shall be nonreducible and nondivisible.

(D) Blanket permits are also available for items that may be oversize or overweight with varying operation areas and time periods. These blanket permits may be issued as explained in the following paragraphs:

1. Public Utility or Public Works. Thirty- (30-) day blanket. Blanket permits up to and including twelve feet four inches (12'4") wide and/or overall length up to and including one hundred fifty feet, zero inches (150'0") covering specified travel over listed routes may be issued for a period not exceeding thirty (30) days to expedite construction or repair of public utilities or public works clearly in the public interest. Height must be legal;

2. Well-drilling blanket. Blanket permits for well-drilling rigs may be issued to a maximum width of twelve feet four inches (12'4"), and/or overlength to a maximum of sixty feet (60') for single units and weights not to exceed twenty thousand (20,000) pounds or legal weight on a single axle, forty thousand (40,000) pounds on a tandem axle group, or sixty thousand (60,000) pounds on a triple or quadrum axle group, and a gross weight not to exceed the maximum allowable gross weight according to the number of axles and the specified axle spacings as shown on the weight table in subsection (11)(F). Equipment classified for use in well-drilling work is a single unit designed primarily to drill wells. The unit shall be reduced in size as much as practical. Drill bits and other necessary drilling tools may be carried with the drill rig provided the permitted axle and gross vehicle weight are not exceeded. The permit authorizes travel over the state highway system only and the unit must be able to maintain the posted minimum speed on the



interstate system. Travel over bridge structures on which a load limit is posted for lesser weights is not allowed;

3. Emergency response blanket. Annual blanket permits for the initial response and direct return from an emergency are available up to and including twelve feet four inches (12'4") in width, one hundred fifty feet, zero inches (150'0") in length, and maximum axle weights and gross weight as allowed in section (11). Height shall be legal. This permit authorizes travel over the state highway system only. Travel over bridge structures on which a load limit is posted for lesser weight is not allowed. The restriction prohibiting travel in tourist areas, during curfew hours, at night, and on holidays or holiday weekend periods will be waived for the initial response to the emergency site. Clearance lights in lieu of flags and reflectorized oversize load signs are required for night travel. See section (12) for additional procedures for emergency travel;

4. Public utility. Blanket overlength permits not exceeding one hundred fifty feet, zero inches (150'0") in length (width, height, and weight must be legal) may be issued to a public utility company, a public agency, or their contractor to transport poles or pipe for minor construction, reconstruction, replacements, or emergency repairs. Such permits shall be issued for each power unit (truck-tractor or derrick truck) to travel from the nearest available pole or pipe storage yard. The restriction prohibiting travel in tourist areas, during curfew hours, at night, and on holidays or holiday weekend periods is waived for emergency repairs. Clearance lights in lieu of flags and reflectorized oversize load signs are required for night travel (see subsection (12)(J));

5. Sludge disposal units. Blanket permits are available for travel on the state highway system other than the interstate and shall not exceed eleven feet six inches (11'6") in width. All other dimensions and weight shall be legal;

6. Concrete pump truck blanket. Blanket permits for concrete pump trucks may be issued to a maximum width of twelve feet four inches (12'4"), and/or overlength to a maximum of sixty feet (60') for single units and weights not to exceed twenty thousand (20,000) pounds or legal weight on a single axle, forty thousand (40,000) pounds on a tandem axle group, or sixty thousand (60,000) pounds on a triple or quadrum axle group, and a gross weight not to exceed the maximum allowable gross weight according to the number of axles and the specified axle spacings as shown on the weight table in subsection (11)(F). This permit authorizes travel over the state highway system only and the vehicle

must be able to maintain the posted minimum speed on the interstate system. Travel over bridge structures on which a load limit is posted for lesser weights is not allowed;

7. Projects. Blanket permits are available for the movement and/or operation of oversize and overweight road-building equipment within the limits of a specific highway project or combination of projects, for a period not to exceed the completion date of that project. The permittee shall coordinate movement and/or operation necessity and procedures with the project engineer and collectively submit a permit application containing all pertinent information to include any special or unusual circumstances with a recommendation to the Missouri Department of Transportation, Motor Carrier Services Division;

8. Longer combination vehicles (LCV) blanket permits. This permit may include combinations defined as Rocky Mountain Doubles (RMD), Turnpike Doubles (TPD), and triple-trailers currently allowed to operate on turnpikes in other states. Annual blanket permits are available for longer combination vehicles up to one hundred twenty feet, zero inches (120'0") in overall length to travel to and from locations within twenty (20) miles of the western border of this state. One hundred twenty thousand (120,000) pounds is allowed for LCVs entering from the Kansas border. Ninety-five thousand (95,000) pounds is allowed for LCVs entering from the Nebraska border, and ninety thousand (90,000) pounds is allowed for LCVs entering from the Oklahoma border. All other dimensions shall be legal. This permit authorizes travel over specified routes on the state highway system;

9. Government agency. Annual blanket permits are available for government agencies up to and including twelve feet four inches (12'4") in width, one hundred fifty feet, zero inches (150'0") in length, and maximum axle weights and gross weight as allowed in section (11). Height shall be legal; and

10. Milk Hauler. Annual blanket permits may be issued for a maximum of eighty-five thousand five hundred (85,500) pounds to vehicles traveling on the interstate carrying raw fluid milk products from a farm and/or raw milk products to or from a milk plant, receiving station, or transfer station. Width, height, and length shall be legal.

(7) Crossing Permits and Commercial Zone Bridge Analysis.

(A) Highway crossing. A single-day permit is available to allow off-road machinery to be transported or driven across a state maintained highway in order to access adjacent properties. Size and weight limitations will be based on physical restrictions at the

location of the crossing; and

(B) Commercial Zone Bridge Analysis. A bridge analysis is available for loads moving under legal commercial zone weight limits that are too heavy to cross a posted structure. Applications must include information as outlined in subsection (4)(A).

(8) Civilian Escorts and Flaggers. It is the responsibility of the permittee to see that escorts which accompany their moves adhere to these regulations in addition to the regulations specifying when escorts and flaggers are required, as listed in sections (9), (12), (13), (14), (15), and (16).

(A) An "escort" is defined as a vehicle with operator which accompanies oversize moves to serve as a warning to other traffic that extra caution is required. Operators of escort vehicles shall be properly licensed, obey all traffic laws, and be at least eighteen (18) years of age.

(B) The escort vehicle must be a properly licensed single unit vehicle of standard size with unobstructed vision to the front and rear and in safe operating condition. The unit may be an automobile, pickup truck, utility vehicle, station wagon, or equivalent.

(C) It is the responsibility of the permittee to ensure the escort's minimum financial responsibility as required by law is in force at all times.

(D) Oversize load signs shall be displayed on the front and/or rear of the escort vehicle, whichever is applicable for the move. A sign mounted on the top of the vehicle with printing on both sides is acceptable. Signs are to be a minimum size of five feet (5') long by one foot (1') high with minimum eight inch (8") high letters. The sign's background shall be yellow with black lettering and visible for at least three hundred feet (300'). The legend shall read "OVERSIZE LOAD" or "WIDE LOAD."

(E) Escort vehicles are to be equipped with at least two (2) red or orange fluorescent warning flags mounted on a staff at the two (2) front extremities of the vehicle for a front escort and at the rear extremities for a rear escort. The escort vehicle for overheight loads (see paragraph (9)(G)3.) shall have a vertical clearance detection device and have continuous, uninterrupted, two- (2-) way communication with the power unit. Flags used for flagging and on permit vehicles shall be clean, red, yellow, or orange fluorescent, in good condition, with no advertising or wording, and be at least eighteen inches (18") square.

(F) Flaggers are required as outlined in subsection (9)(I). Flaggers shall have proper training in directing traffic.



(9) Regulations for All Permits. The following regulations apply to all movements of oversize and/or overweight loads except as stipulated in sections (6), (11), (12), (13), (14), (15), and (16):

(A) The permit must accompany the move until the move is completed;

(B) Travel is limited to one-half (1/2) hour before sunrise to one-half (1/2) hour after sunset, except as permitted in subsection (9)(E) of this rule and sections (6), (11), (12), (13), (14), and (15). No movement is allowed when road conditions are hazardous, such as snow and ice covered, or when hazardous cross winds affect the movement, or when weather conditions are such to limit the visibility to less than five hundred feet (500');

(C) No movement is allowed during specified holiday periods listed in subsection (1)(I);

(D) No movement is allowed on Saturdays and Sundays in the Lake of the Ozarks and Branson areas as follows:

1. Lake of the Ozarks area—the following restrictions apply May 25 through Labor Day (first Monday in September):

A. Route 5—between the junction with Route 54 and the city limits of Gravois Mills;

B. Route 42—between the junctions with Routes 54 and 134; and

C. Business 54—between the east and west junctions with Route 54;

2. Branson area—the following restrictions apply May 1 through November 30:

A. Route 76—between the junctions with Routes 13 and 160;

B. Route 13—between the city limits of Branson West and the junction with Route 86 west;

(E) For safety and to reduce traffic congestion, Monday through Friday travel in the metropolitan areas of St. Louis, St. Charles, Kansas City, and Springfield is restricted as follows (The metropolitan area curfews indicated in subsection (9)(E) do not apply to loads that are overweight only):

1. All routes in St. Louis City and County, with the exception of Route 370, are restricted between the hours of 6:30 a.m. to 9:00 a.m. and 3:30 p.m. to 6:30 p.m.;

2. St. Charles County on I-70, eastbound travel between the junction with Route 61 and the Missouri River Bridge is restricted from 6:30 a.m. to 9:00 a.m. and I-70 westbound between the Missouri River Bridge and the junction with Route 61 is restricted from 3:30 p.m. to 6:30 p.m.; Route 40/61 (I-64) (both directions) between the Missouri River Bridge and I-70 and Route 94 (both directions) between Route 370 and Route 40/61 (I-64) are restricted from 6:30

a.m. to 9:00 a.m. and 3:30 p.m. to 6:30 p.m.;

3. Jefferson County on I-55 (both directions) between the St. Louis County line and Route 67; Route 21 and Route 30 (both directions) between St. Louis County line and Route BB; Route 141 (both directions) between the St. Louis County line and Route 61/67 is restricted between the hours of 6:30 a.m. to 9:00 a.m. and 3:30 p.m. to 6:30 p.m.;

4. In the Kansas City area on the routes or inside of the area bounded by Routes 150, 291, I-470, 152 West, to I-435 (Platte County) exit 24 south to the Kansas state line, travel is restricted between the hours of 7:00 a.m. to 9:00 a.m. and 4:00 p.m. to 6:00 p.m.; and

5. Inside the city limits of Springfield, travel is restricted on all routes on the state highway system between the hours of 7:00 a.m. to 9:00 a.m. and 4:00 p.m. to 6:00 p.m., except:

A. I-44—Restricted between 4:00 p.m. and 6:00 p.m. only.

B. U.S. 60—Restricted between 4:00 p.m. and 6:00 p.m. only.

C. U.S. 65—Restricted between 7:00 a.m. and 9:00 a.m. and between 3:30 p.m. and 6:00 p.m. only;

(F) Movements of major equipment or other special loads for short distances with origin and destination within major urban areas may be permitted between the hours of 1:00 a.m. and 6:00 a.m. Monday through Friday, except for these time periods on and immediately following a holiday period and on Sunday from 1:00 a.m. to 12:00 noon, except where this time conflicts with a holiday period. Such movements must be pre-planned and all protection must be provided for the safety of the public as follows:

1. Required signing must be lighted or reflectorized. Amber lights at the extreme ends or projection of the load or vehicle must be provided in lieu of flags;

(G) Escort requirements are as follows:

1. Overwidth. No escort is required for loads up to and including twelve feet four inches (12'4") in width. Escort requirements for loads exceeding twelve feet four inches (12'4") in width are in sections (13), (14), (15), and (16);

2. Overlength. A rear escort is required for movements when the vehicle and load exceed ninety feet (90') for a combination unit on all highways except divided highways and as required in sections (12), (15), and (16);

3. Overheight. A height detection vehicle is required to precede overheight loads exceeding fifteen feet six inches (15'6"). The height detection vehicle shall have a vertical

clearance detection device and have direct, continuous, uninterrupted, two- (2-) way communication with the power unit; and

4. A separate escort shall be provided for each load and each dimension. Travel in convoy is not allowed. Additional and/or special escort requirements may be specified whenever the size, speed, or operation of movement might require;

(H) Front escorts shall travel approximately three hundred feet (300') in front of the load and rear escorts approximately three hundred feet (300') to the rear of the load. In heavy traffic or when traveling within cities or towns, the escort vehicle should maintain a distance consistent with existing traffic conditions; and

(I) Flagging is required whenever the dimensions of overwidth loads are equal to or exceed the width of the traveled lane on two- (2-) lane bridges or whenever the movement is of such width or length that it infringes on the adjacent lane of traffic. The operator of the escort vehicle may act as the flagger. On shorter bridges it may not be necessary to actually stop traffic if sight distance is good, but on longer bridges or where sight distance is short, a flagger shall be used to direct traffic and be prepared to stop traffic, if necessary. A flagger is also required if the permitted vehicle and load must stop due to a breakdown with all or part infringing on the traveled roadway. Additional traffic control may be required for large complex moves. All traffic control devices shall meet the requirements listed in the *Manual on Uniform Traffic Control Devices* (MUTCD) which is incorporated herein by reference and made a part of this rule as published by the Federal Highway Administration (FHWA), 1200 New Jersey Ave., SE, Washington, DC 20590, revised May 2012. This rule does not incorporate any subsequent amendments or additions of this manual.

(10) Regulations for Oversize Permits. In addition to the regulations in sections (6), (9), (13), (14), (15), and (16), the following applies to all oversize permits:

(A) Red, yellow, or orange fluorescent flags in good condition with a minimum size of eighteen inches (18") square shall be displayed at the extreme ends or projections of all overwidth and overlength loads, and all four (4) corners of manufactured and sectional home units. Oversize load signs at least seven feet (7') long by eighteen inches (18") high with ten-inch (10") letters of one and five-eighths inch (1 5/8") stroke shall be displayed front and rear for loads exceeding ten feet six inches (10'6") in width on all highways. The oversize load sign may be split or





otherwise configured to accommodate crash-avoidance technology. When the overall length of a combination unit exceeds ninety feet (90') or the overall length of a single unit exceeds fifty feet (50'), an oversize load sign is required on the rear of the load. The sign's background shall be yellow with black lettering. The legend for these signs shall read "OVERSIZE LOAD" or "WIDE LOAD;"

(B) Overlength permits shall be limited to a nonreducible vehicle and load with an overall length for a single unit not exceeding sixty feet (60'), for combination units not exceeding one hundred fifty feet (150'), and truck-trailer combination units not exceeding seventy five feet (75'). Steering mechanisms may be required on rear axles of combination units;

(C) Overheight permits for all movements will be limited to a nonreducible combination of vehicle and load height not exceeding the vertical clearance of the structures on the most feasible direct route between origin and destination. Arrangements for the raising or removal of overhead lines will be the responsibility of the permittee. It is also the responsibility of the permittee to check all structures and overhead wires for clearances before movement;

(D) The movement of noncommercial buildings exceeding routine special permit dimension limitations will be determined on an individual basis dependent on building size, roadway and structure width and clearances, traffic volumes, and other applicable factors. Permits for movement of such buildings shall be issued by the district offices (see section (16));

(E) Movement of farm products (hay) up to, but not exceeding, fourteen feet (14') in width will be allowed by permit. These movements must comply with all existing Missouri oversize and overweight permit regulations except reference to reducible loads in subsection (1)(B) shall not apply. The hauling unit must be properly insured and licensed; and

(F) Night movement for hauling hay up to fourteen feet (14') in width will be allowed by single trip permit. This movement will require a front and a rear escort on all two-(2)-lane and multi-lane undivided state highways. A rear escort is required on interstate and other dual lane divided state highways. Oversize load signs are required and shall be lighted or reflectorized. Clearance lights in lieu of flags shall be mounted at extreme ends or load projections when moving after daylight hours and/or when visibility is less than five hundred feet (500'). Continuous, uninterrupted two- (2)-way communication is required between the power unit and all escort vehicles. Movement is restricted for urban and tourist areas as outlined in subsections (9)(D) and (9)(E). Movement is restricted for holiday periods as outlined in subsection (1)(I).

(11) Regulations for Routine Overweight Permits. The following regulations apply to permit moves to transport nonreducible and non-divisible loads. See section (15) for super heavy and large load movement:

(A) Overweight permits may specify maximum and minimum speeds and method of vehicle operation to reduce hazards or control impact factors and load distribution on pavements and bridges. Overweight loads not oversize and not exceeding the gross weight limit as listed in subsection (11)(D) will be granted day and night movement except travel during holiday and holiday weekend periods as listed in section (1) and except for movement in tourist areas listed in subsection (9)(D). All movements authorized under overweight permits will be over specified routes on the state highway system only;

(B) Axles included in booster axle, tandem axle, triple axle, or quadrum axle groups on all hauling units shall be equipped with dual wheels or equivalent tread width. When configuring trailers for hauling units with seven (7) or more axles, conventional axles or booster axles may be used for the addition of the single axle, tandem axle, or triple axle groups that may be placed at the end of the trailer. Definitions—

1. The term "axle" shall mean a common axis of rotation of one (1) or more wheels whether power-driven or freely rotating, and regardless of the number of wheels carried thereon;

2. The term "axle group" shall mean an assembly of two (2) or more consecutive axles considered together in determining their combined load effect on pavement or structures. Axle groups must have a common equalization system, which will equalize the load between or among axles in both static and dynamic conditions. Any combination of mechanically equalized axles with either air suspension or any other suspension system used to form axle groups is not allowed;

3. The term "spread axles" shall mean two (2) axles, which are more than ninety-six inches (96") apart and are considered single axles;

4. The term "tandem axle" shall mean a group of two (2) or more axles arranged one (1) behind another, where the distance between the extreme centers is more than forty inches (40") and not more than ninety-six inches (96") apart;

5. The term "triple axle or tridem" shall mean a group of three (3) axles, which are fully equalized automatically or mechanically

and the distance between the centers of the extreme is more than ninety-six inches (96") and not more than one hundred forty-four inches (144");

6. The term "quadrum axle" shall mean a group of four (4) axles, which are fully equalized automatically or mechanically, and the distance between the centers of the extreme is not more than one hundred ninety-two inches (192");

7. The term "lift axle" shall mean any axle designed with the capabilities of manipulation or adjustment of the weight on it or the axle group by use of manual valve(s). Under no circumstances will "lift axles" be recognized in weight computations. An additional axle may be added to an existing axle group provided—

A. All axles have a common equalization system; and

B. All equalization is accomplished with automatic valves; and

8. The term "booster axle" shall mean an extension of a hauling unit, which when attached to the trailer adds a single axle, tandem, or triple axle group. To be acceptable, a booster axle must connect to the vehicle frame in such a manner as to equalize the load between axles;

(C) The allowable combination configurations for overweight special permits are as follows:

#### **5-Axle Configurations**

Single-Tandem-Tandem (1-2-2)

Single-Tandem-Spread (1-2-2)

Minimum distance between the centers of the first and last axles is fifty-one feet (51').

Maximum gross weight allowed on a 5-axle configuration is one hundred four thousand (104,000) pounds.

#### **6-Axle Configurations**

Single-Tandem-Triple (1-2-3)

Single-Triple-Tandem (1-3-2)

Single-Tandem-Tandem-Single (1-2-2-1) (Alternative Configuration)

Minimum distance between the centers of the first and last axle is sixty-five feet (65') for the alternative configuration and fifty-one feet (51') for all other configurations.

Maximum gross weight allowed on a 6-axle configuration is one hundred twenty thousand (120,000) pounds.

For the alternative configuration, the minimum distance between the tandem axle groups shall be twenty-five feet (25'), and the minimum distance between the tandem axle group and single booster axle shall be fourteen feet (14').

Lengths from forty-three feet (43') up to fifty-one feet (51') will be allowed for the (1-2-3)



and (1-3-2) configurations provided that the maximum gross weight on these configurations does not exceed one hundred twelve thousand (112,000) pounds. When the configuration length is less than fifty-one feet (51'), the maximum gross weight on any tandem axle grouping shall be forty thousand (40,000) pounds and the maximum gross weight on any tridem axle grouping shall be sixty thousand (60,000) pounds.

#### **7-Axle Configurations**

Single-Triple-Triple (1-3-3) (Routine Configuration)

Single-Tandem-Quad (1-2-4) (Alternative Configuration)

Single-Tandem-Triple-Single (1-2-3-1)

Single-Triple-Tandem-Single (1-3-2-1)

Single-Tandem-Tandem-Tandem (1-2-2-2)

Minimum distance between the centers of the first and last axles is fifty-five feet (55') for the routine configuration, seventy-five feet (75') for the alternative configuration, and sixty-nine feet (69') for all other configurations.

The following axle group spacing limitation will apply to all of the configurations as shown above, but will not apply to the steering axle. A minimum distance of fourteen feet (14') shall be required between centers of adjacent axles on consecutive tandem, triple, and quad axle groupings and on single axles used in combination with these groupings.

Maximum gross weight allowed on a 7-axle configuration is one hundred thirty thousand (130,000) pounds for the alternative configuration, one hundred thirty-two thousand (132,000) pounds for the routine configuration, one hundred thirty-eight thousand (138,000) pounds for the 1-2-3-1 and 1-3-2-1 configurations, and one hundred fifty thousand (150,000) pounds for the 1-2-2-2 configuration.

#### **8-Axle Configurations**

Single-Triple-Quad (1-3-4) (Routine Configuration)

Single-Tandem-Tandem-Triple (1-2-2-3)

Single-Triple-Triple-Single (1-3-3-1)

Single-Triple-Tandem-Tandem (1-3-2-2)

Single-Tandem-Triple-Tandem (1-2-3-2)

Minimum distance between the centers of the first and last axle is sixty-one feet (61') for the routine configuration and seventy-five feet (75') for all other configurations.

The following axle group spacing limitation will apply to all of the configurations as shown above, but will not apply to the steering axle. A minimum distance of fourteen feet (14') shall be required between centers of adjacent axles on consecutive tandem, triple, and quad axle groupings and on single axles

used in combination with these groupings.

Maximum gross weight allowed on an 8-axle configuration is one hundred forty-four thousand (144,000) pounds for the routine configuration and one hundred sixty thousand (160,000) pounds for all other configurations.

#### **9-Axle Configurations**

Single-Triple-Tandem-Triple (1-3-2-3) (Routine Configuration)

Single-Quad-Quad (1-4-4) (Alternative Configuration)

Single-Double-Double-Quad (1-2-2-4) (Alternative Configuration 2)

Single-Tandem-Triple-Triple (1-2-3-3)

Single-Triple-Quad-Single (1-3-4-1)

Single-Triple-Triple-Tandem (1-3-3-2)

Single-Tandem-Tandem-Tandem-Tandem (1-2-2-2-2)

Minimum distance between the centers of the first and last axle is eighty-five feet (85') for the alternative configuration 2 and seventy-five feet (75') for all other configurations. The following axle group spacing limitation will apply to all of the configurations as shown above except for the alternative configuration and alternative configuration 2, but will not apply to the steering axle. A minimum of fourteen feet (14') shall be required between centers of adjacent axles on consecutive tandem, triple, and quad axle groupings and on single axles used in combination with these groupings. When the alternative configuration is used, a minimum distance of thirty feet (30') shall be required between centers of adjacent axles on the consecutive quad axle groupings. When the alternative configuration 2 is used, a minimum distance of thirty feet (30') shall be required between centers of adjacent axles on consecutive tandem and quad axle groupings.

Maximum gross weight allowed on a 9-axle configuration is one hundred fifty-six thousand (156,000) pounds for the alternative configuration and one hundred sixty thousand (160,000) pounds for all other configurations.

#### **10-Axle Configurations**

Single-Triple-Triple-Triple (1-3-3-3) (Routine Configuration)

Single-Tandem-Tandem-Tandem-Triple (1-2-2-2-3)

Single-Triple-Tandem-Tandem-Tandem (1-3-2-2-2)

Single-Tandem-Triple-Tandem-Tandem (1-2-3-2-2)

Single-Tandem-Tandem-Triple-Tandem (1-2-2-3-2)

Single-Tandem-Triple-Quad (1-2-3-4)

The minimum distance between the centers of the first and last axle is eighty-five feet (85')

for all configurations.

The following axle group spacing limitation will apply to all of the configurations as shown above except for the routine configuration, but will not apply to the steering axle.

A minimum of fourteen feet (14') shall be required between centers of adjacent axles on consecutive tandem and triple axle groupings. A minimum distance of twenty feet (20') shall be required between centers of adjacent axles on consecutive triple and quad axle groupings. When the routine configuration is used, a minimum distance of twenty feet (20') shall be required between centers of adjacent axles on the consecutive triple axle groupings.

When possible, the distribution of the loading to the various axle groupings should be done in a manner to equalize the loadings to all of the axles on the entire configuration. When full equalization between the axles on the configuration is not possible, the gross weight variation between the individual axles (excluding the steering axle) on the entire configuration shall not be more than twenty-five percent (25%).

The maximum gross weight allowed on a 10-axle configuration is one hundred sixty thousand (160,000) pounds.

#### **11-Axle Configurations**

Single-Tandem-Tandem-Triple-Triple (1-2-2-3-3)

Single-Tandem-Triple-Tandem-Triple (1-2-3-2-3)

Single-Triple-Tandem-Tandem-Triple (1-3-2-2-3)

Single-Triple-Triple-Tandem-Tandem (1-3-3-2-2)

Single-Triple-Tandem-Triple-Tandem (1-3-2-3-2)

Single-Tandem-Triple-Triple-Tandem (1-2-3-3-2)

Single-Triple-Triple-Quad (1-3-3-4)

The minimum distance between the centers of the first and last axle is eighty-five feet (85') for all configurations.

The following axle group spacing limitation will apply to all of the configurations as shown above, but will not apply to the steering axle. A minimum distance of fourteen feet (14') shall be required between centers of adjacent axles on consecutive tandem and triple axle groupings. A minimum distance of twenty feet (20') shall be required between centers of adjacent axles on consecutive triple and quad axle groupings.

When possible, the distribution of the loading to the various axle groupings should be done in a manner to equalize the loadings to all of the axles on the entire configuration.

When full equalization between the axles on



the configuration is not possible, the gross weight variation between the individual axles (excluding the steering axle) on the entire configuration shall not be more than twenty-five percent (25%).

The maximum gross weight allowed on an 11-axle configuration is one hundred sixty thousand (160,000) pounds.

#### **12-Axle Configurations**

Single-Tandem-Triple-Triple-Triple (1-2-3-3-3)

Single-Triple-Tandem-Triple-Triple (1-3-2-3-3)

Single-Triple-Triple-Tandem-Triple (1-3-3-2-3)

Single-Triple-Triple-Triple-Tandem (1-3-3-3-2)

Single-Triple-Quad-Quad (1-3-4-4)

The minimum distance between the centers of the first and last axle is eighty-five feet (85') for all configurations.

The following axle group spacing limitation will apply to all of the configurations as shown above, but will not apply to the steering axle. A minimum distance of fourteen feet (14') shall be required between centers of adjacent axles on consecutive tandem and triple axle groupings. A minimum distance of twenty feet (20') shall be required between centers of adjacent axles on consecutive triple and quad axle groupings. A minimum distance of thirty feet (30') shall be required between centers of adjacent axles on the consecutive quad axle groupings.

When possible, the distribution of the loading to the various axle groupings should be done in a manner to equalize the loadings to all of the axles on the configuration.

When full equalization between the axles on the configuration is not possible, the gross weight variation between the individual axles (excluding the steering axle) on the entire configuration shall not be more than twenty-five percent (25%).

The maximum gross weight allowed on a 12-axle configuration is one hundred sixty thousand (160,000) pounds;

(D) The maximum allowable axle weights for permits are as follows:

1. Single axle—twenty thousand (20,000) pounds;
2. Tandem axle group—forty-six thousand (46,000) pounds, but not more than twenty-four thousand (24,000) pounds, for any axle of a multi-axle group;
3. Triple axle group—sixty thousand (60,000) pounds, but not more than twenty-one thousand (21,000) pounds, for any axle of a multi-axle group; and
4. Quadrum axle group—seventy-two thousand (72,000) pounds, but not more than

nineteen thousand (19,000) pounds, for any axle of a quadrum axle group;

(E) When it is necessary to move specialized equipment, such as mobile cranes, rock crushers, drilling equipment, or other equipment which cannot be reasonably reduced in weight to comply with legal weights, consideration shall be given for a special permit for these moves. The applicant must first give assurance that the unit has been reasonably reduced in weight and dimension (exclusive of attachments that are an intricate part necessary for the operation of the machine and/or machine adjustments necessary for weight distribution). After the weight has been reduced to a reasonable minimum, a special permit may be issued for weights not to exceed twenty thousand (20,000) pounds or legal weight on a single axle, forty thousand (40,000) pounds on a tandem axle, sixty thousand (60,000) pounds on a triple axle group, or sixty thousand (60,000) pounds on a quadrum axle group. Axle and axle groups are defined in subsection (11)(B); and

(F) The maximum allowable gross weight in pounds for specialized equipment shall be determined by the number of axles and the distance between the external axles as indicated in the following chart:



**GROSS WEIGHT TABLE**  
Specialized Equipment 2, 3, 4, 5, 6 Axles

Feet	Legal Wt. 2 Axle	Permit Max. 2 Axle	Legal Wt. 3 Axle	Permit Max. 3 Axle	Legal Wt. 4 Axle	Permit Max. 4 Axle	Legal Wt. 5 Axle	Permit Max. 5 Axle	Legal Wt. 6 Axle	Permit Max. 6 Axle
4	34,000	40,000								
8	34,000	40,000	34,000	42,500						
9	39,000	40,000	42,500	53,125						
10	40,000	40,000	43,500	54,375						
11			44,000	55,000						
12			45,000	56,250	50,000	62,500				
13			45,500	56,875	50,500	63,125				
14			46,500	58,125	51,500	64,375				
15			47,000	58,750	52,000	65,000				
16			48,000	60,000	52,500	65,625	58,000	72,500		
17			48,500		53,500	66,875	58,500	73,125		
18			49,500		54,000	67,500	59,000	73,750		
19			50,000		54,500	68,125	60,000	75,000		
20			51,000		55,500	69,375	60,500	75,625	66,000	85,260
21			51,500		56,000	70,000	61,000	76,250	66,500	86,840
22			52,500		56,500	70,625	61,500	76,875	67,000	88,420
23			53,000		57,500	71,875	62,500	78,125	68,000	90,000
24			54,000		58,000	72,500	63,000	78,750	68,500	91,500
25			54,500		58,500	73,125	63,500	79,375	69,000	93,160
26			55,500		59,500	74,375	64,000	80,000	69,500	94,740
27			56,000		60,000	75,000	65,000	81,250	70,000	96,320
28			57,000		60,500	75,625	65,500	81,875	71,000	97,900
29			57,500		61,500	76,875	66,000	82,500	71,500	99,480
30			58,500		62,000	77,500	66,500	83,125	72,000	101,050
31			59,000		62,500	78,125	67,500	84,375	72,500	102,630
32			60,000		63,500	79,375	68,000	85,000	73,000	104,210
33					64,000	80,000	68,500	85,625	74,000	105,790
34					64,500		69,000	86,250	74,500	107,370
35					65,500		70,000	87,500	75,000	108,950
36					66,000		70,500	88,125	75,500	110,530
37					66,500		71,000	88,750	76,000	112,110
38					67,500		72,000	90,000	77,000	113,680
39					68,000		72,500	90,625	77,500	115,260
40					68,500		73,000	91,250	78,000	116,890
41					69,500		73,500	91,875	78,500	118,420
42					70,000		74,000	92,500	79,000	120,000
43					70,500		75,000	93,750	80,000	
44					71,500		75,500	94,375		
45					72,000		76,000	95,000		
46					72,500		76,500	95,625		
47					73,500		77,500	96,875		
48					74,000		78,000	97,500		
49					74,500		78,500	98,125		
50					75,500		79,000	98,750		
51					76,000		80,000	100,000		
52					76,500					
53					77,500					
54					78,000					
55					78,500					
56					79,500					
57					80,000					

**GROSS WEIGHT TABLE**  
Specialized Equipment with 7, 8, 9 Axles

Feet	Legal Wt. 7 Axle	Permit Max. 7 Axle	Legal Wt. 8 Axle	Permit Max. 8 Axle	Legal Wt. 9 Axle	Permit Max. 9 Axle
24	74,000	92,800				
25	74,500	94,400				
26	75,000	96,000				
27	75,500	97,600				
28	76,500	99,200				
29	77,000	100,800				
30	77,500	102,400				
31	78,000	104,000				
32	78,500	105,000				
33	79,000	107,200				
34	80,000	108,800		108,800		
35		110,400		110,400		
36		112,000		112,000		
37		113,600		113,600		
38		115,200		115,200		
39		116,800		116,800		
40		118,400		118,400		
41		120,000		120,000		
42		121,600		121,600		
43		123,200		123,200		123,200
44		124,800		124,800		124,800
45		126,400		126,400		126,400
46		128,000		128,000		128,000
47		129,600		129,600		129,600
48		131,200		131,200		131,200
49		132,800		132,800		132,800
50		134,400		134,400		134,400
51		135,520		136,000		136,000
52		136,640		137,600		137,600
53		137,760		139,200		139,200
54		138,880		140,800		140,800
55		140,000		142,400		142,400
56				144,000		144,000
57				144,800		144,800
58				145,600		145,600
59				146,400		146,400
60				147,200		147,200
61				148,000		148,000
62				148,800		148,800
63				149,600		149,600
64				150,000		150,000
65				151,200		151,200
66				152,000		152,000

If the specialized equipment exceeds the:

1. Allowable weight on an axle or axle group;
2. Gross weight for the number of axles; or
3. Does not meet the required axle spacings for the number of axles;

the permit request will be considered according to the rules of section (15).



(12) Procedures for Emergency Movements.

(A) Railroad derailments and other civil or natural disasters may create the necessity for an emergency movement by oversize/overweight vehicles. The Missouri Department of Transportation shall also issue emergency utility response permits for the transporting of utility wires or cables, poles, and equipment needed for repair work immediately following a disaster where utility service has been disrupted; except for and excluding movements under section (15).

(B) Emergency movements into or within the state may be allowed day or night, seven (7) days a week by permit or verbal approval from either the motor carrier compliance supervisor or other designated motor carrier services representative.

(C) Following verbal approval, an official permit covering each emergency movement must be obtained on the first working day immediately following the move.

(D) Verbal authority for an emergency movement may be granted only after confirmation that an emergency exists by an authorized representative of the permittee who shall be required to furnish information on conditions at the location of the emergency and the name of the company to perform the emergency service.

(E) The Missouri Department of Transportation representative granting authority for an emergency movement will advise the Missouri State Highway Patrol that the move is authorized and furnish information on the vehicle involved, such as make and license of hauling units, axle weights, load dimensions, location, routes of travel, and the estimated time of the movement. The restriction prohibiting travel in tourist areas, during curfew hours, at night, and on holidays or holiday weekend periods will be waived for the initial response to the emergency site.

(F) Permits for return trips will be issued during regular working hours only and each unit must comply with the permit regulations' limitations for weight and dimensions.

(G) Emergency movements are not exempt and will not be waived of the requirement to stop at weigh stations.

(H) Violations are not in the interest of public safety and any misrepresentation in the application, verbal request for a permit, or violation of the terms of the verbal authority for movement may result in denial of future authorizations being granted for an emergency move.

(I) Escort vehicles shall travel approximately three hundred feet (300') in front on two-(2-) lane pavement or approximately three hundred feet (300') in rear on dual lane or multi-lane undivided pavement. Escort vehi-

cles shall use clearance lights in lieu of flags and reflectorized oversize or overwide load signs are required for travel at night or when visibility is less than five hundred feet (500'). Escort vehicles will not be allowed to convoy movements.

(J) In addition to the special provisions contained herein, the permittee shall use clearance lights in lieu of flags at the extreme edges of an overwidth load and reflectorized oversize or overwide load signs mounted on the front and rear of the vehicle and load when visibility is less than five hundred feet (500') and shall observe all other Missouri oversize and overweight permit regulations.

(K) The permittee shall be responsible for any damage to the roadway surface, shoulders, bridge structures, or other highway facilities resulting from operations authorized pursuant to this section.

(13) Regulations for the movement of loads over twelve feet four inches (12'4") to fourteen feet (14') wide. The following requirements in addition to the requirements of oversize and overweight permit regulations for movement of loads up to twelve feet four inches (12'4") in width shall apply to all loads over twelve feet four inches (12'4") to fourteen feet (14') in overall width.

(A) Restrictions and Requirements. Bridge crossings may require stopping traffic on two-(2-) lane highways where bridge width is less than twenty-eight feet (28'); a distance of at least one thousand feet (1,000') between oversize vehicles is required; escorts may act as flaggers.

1. Travel on interstate and other divided highways allowed from one-half (1/2) hour before sunrise to one-half (1/2) hour after sunset except where restricted in tourist and urban areas (see subsections (9)(D) and (9)(E)) and as prohibited by holiday restrictions in subsection (1)(I).

2. No movement Monday through Friday from 6:30 a.m. to 9:00 a.m. and 3:30 p.m. to 6:00 p.m. on all other routes on the state highway system and no movement allowed on Saturday and Sunday in tourist areas (see subsection (9)(D)).

(B) Escort Requirements. One (1) escort is required for each oversize unit on the interstate and designated route system. This escort shall be in the rear on dual-lane, divided, or multi-lane pavement and in the front on two-(2-) lane pavement. Travel on routes off interstate and designated route system will require two (2) escorts (one (1) front and one (1) rear). Continuous, uninterrupted two-(2-) way communication is required between the power unit and all escort vehicles.

(14) Regulations for the movement of loads over fourteen feet (14') to sixteen feet (16') overall width. The following requirements, in addition to the requirements of oversize and overweight permit regulations for movement of loads up to twelve feet four inches (12'4") in width, shall apply to the movement of allowed loads. Farm products (hay) shall not exceed fourteen feet (14') in width.

(A) Routes over which these loads will be considered are highways with pavement at least twenty-four feet (24') wide with at least four foot (4') shoulders and travel on routes of lesser width shall be for the shortest practical distance to complete the move, unless traffic volume, roadway alignment, and/or other circumstances justify alternate routing.

1. Travel on interstate and other divided highways allowed from one-half (1/2) hour before sunrise to one-half (1/2) hour after sunset, except where restricted in tourist and urban areas (see subsections (9)(D) and (E)); and movement is limited to Monday through Friday except as prohibited by holiday restrictions (see subsection (1)(I)).

2. Movement is further restricted from 6:30 a.m. to 9:00 a.m. and 3:30 p.m. to 6:00 p.m. on all other routes on the state highway system.

(B) Escort Requirements. One (1) escort is required in the rear on interstate and other divided highways. Two (2) escorts are required on all multi-lane undivided and two-(2-) lane highways, one (1) front and one (1) rear. Continuous, uninterrupted two-(2-) way communication is required between the power unit and all escort vehicles.

(C) Additional Restrictions and Requirements.

1. No movement on two-(2-) lane highways when dirt shoulders are wet.

2. Bridge crossing may require stopping traffic on two-(2-) lane highways where bridge width is less than thirty-two feet (32'). A distance of at least one thousand feet (1,000') between oversize vehicles is required; escorts may act as flaggers.

(15) Super Heavy and Large Load Movement. Loads in excess of routine permit limits will be considered according to the following regulations when air, rail, or water terminal points are not available:

(A) All permit applications with dimensions or weights exceeding the routine limits of the preceding oversize and overweight permit rule (generally in excess of sixteen feet (16') wide, sixteen feet (16') high, one hundred fifty feet (150') long and/or over one hundred sixty thousand (160,000) pounds gross weight) shall be submitted by fax or online, along with proof of insurance. A minimum of four hundred



twenty-five dollars (\$425) may be required in escrow (to cover the cost of a bridge analysis) before an application can be processed. Applications for this type of move are available on request or online. The applicant should allow at least two (2) weeks for a route evaluation. If any problems exist that may prevent the move from reaching its destination over the state highway system, the application will not be approved;

(B) The applicant may be required to provide a traffic control plan, sketches, or additional information for complex moves. One (1) lane for oncoming traffic must be open and clear for two- (2-) lane highways and one (1) lane for both oncoming and following traffic must be open on four- (4-) lane highways. If open lanes cannot be provided, a detour may be proposed;

(C) If the loaded height exceeds seventeen feet (17'), the applicant shall provide a written document from the appropriate utility company indicating approval to disturb aerial lines across the route;

(D) If the gross vehicle weight exceeds three hundred fifty thousand (350,000) pounds, an additional power unit must accompany the load and will be considered part of the vehicle configuration when conducting roadway and bridge structure analyses. For moves limited in length, this requirement may be waived at the discretion of Motor Carrier Services;

(E) If it is necessary to adjust, modify, or remove state owned property such as signal and sign mast arms, flashers, signs, etc., a qualified contractor approved by the Missouri Department of Transportation shall be hired by the applicant to perform the necessary adjustment or removal and replacement;

(F) Restrictions and Requirements.

1. Travel on interstate and other divided highways allowed from one-half (1/2) hour before sunrise to one-half (1/2) hour after sunset except where restricted in tourist and urban areas (see subsections (9)(D) and (9)(E)) and as prohibited by holiday restrictions in subsection (1)(I).

2. No movement from 6:30 a.m. to 9:00 a.m. and 3:30 p.m. to 6:00 p.m. on all other routes on the state highway system.

3. Travel is allowed on Saturday and Sunday for moves fourteen feet (14') wide and less, and no movement is allowed on Saturday and Sunday in tourist areas (see subsection (9)(D)).

4. Unless otherwise stated on the permit, dates and times of travel will be determined by the Missouri State Highway Patrol if the load requires their escort services;

(G) Escort Requirements. If Missouri State Highway Patrol escorts are required for a

continuous portion of the move, but not the entire move, they are only required for that portion. If the patrol escort is required for an intermittent portion of the move, they will be required to escort the entire move. In addition to escort requirements as outlined in subsection (9)(G), the following requirements apply to super heavy and large load movements:

1. One (1) front and one (1) rear civilian escort is required for all superloads in excess of three hundred fifty thousand (350,000) lbs.;

2. One (1) front civilian escort is required for all superloads on two- (2-) lane highways, except—

3. If a load is required to cross bridge structures at crawl speed in the Kansas City and St. Louis areas, then one (1) front and two (2) rear civilian escorts are required for that portion of the move;

4. One (1) front and two (2) rear civilian escorts are required on all sections of dual lane highways traversed if load exceeds sixteen feet (16') wide and Missouri State Highway Patrol escorts are not present. If Missouri State Highway Patrol escorts are present, one (1) front and one (1) rear civilian escort is required. In addition to the civilian escorts required above—

5. Missouri State Highway Patrol escorts are required when load exceeds:

A. Sixteen feet (16') wide on any highway other than interstate or MO 370;

B. Eighteen feet (18') wide on interstate or MO 370;

C. One hundred fifty feet (150') overall length on any highway;

D. Seventeen feet (17') high on any highway; or

E. Any time deemed necessary due to complexity of route or load. The Missouri State Highway Patrol may conduct a Level I inspection prior to performing escort services. Motor Carrier Services may, at their discretion, waive Missouri State Highway Patrol escort requirement or allow the substitution of local or military law enforcement in the place of Missouri State Highway Patrol escorts;

(H) All future permitting authority for a carrier may be revoked if the Missouri State Highway Patrol, local or military law enforcement agencies acting as escorts, are not reimbursed for superload escorting services;

(I) Generally the maximum weight allowed on any single axle shall be twenty-two thousand four hundred (22,400) pounds for all moves classified under this section. All axles on the hauling unit must be load carrying with a maximum degree of equalization. The Missouri Department of Transportation shall determine whether or not the hauling unit,

number of axles, and axle arrangements are acceptable. In all cases the maximum axle loads, gross weight, and overall dimensions allowed will be determined by the Missouri Department of Transportation according to section 304.200 of the *Missouri Revised Statutes* and/or the load carrying capacity of the roadway and structures on the proposed route;

(J) Before and after studies will be conducted of the highways and bridges traversed by the movement and any resulting damages shall be repaired at the expense of the permittee as directed by the Missouri Department of Transportation.

(16) Noncommercial Building (House) Movement.

(A) Permits are available for the movement of noncommercial buildings that exceed the established oversize and overweight permit limits listed in these regulations. These permits are available from district offices listed below. These rules and regulations are not intended for the movement of commercial buildings or repeated movements of similar buildings.

1. Permits for the movement of noncommercial buildings that exceed the established oversize and overweight permit limits are available from the district offices listed below:

A. St. Joseph—3602 North Belt Highway, St. Joseph, MO 64502, (816) 387-2350;

B. Hannibal—1711 Highway 61 South, Hannibal, MO 63401, (573) 248-2490;

C. Lee's Summit—600 NE Colbern Road, Lee's Summit, MO 64086, (816) 622-6500;

D. Jefferson City—1511 Missouri Boulevard, Jefferson City, MO 65109, (573) 751-3322;

E. Chesterfield—14301 S. Outer 40, Chesterfield, MO 63017-5712, (314) 340-4100;

F. Springfield—3025 E. Kearney, Springfield, MO 65801, (417) 895-7600; and

G. Sikeston—2675 North Main Street, Sikeston, MO 63801, (573) 472-5333.

2. Movement of a building that will not allow one- (1-) way traffic to pass the load will be limited to no more than one (1) mile in length on the state highway system if the traffic volume on the proposed route exceeds five hundred (500) vehicles per day. If the traffic volume is less than five hundred (500) vehicles per day, movement will be considered up to a distance of three (3) miles on the state highway system.

3. Movement of a building greater than sixteen feet (16') in overall width that will allow one- (1-) way traffic to pass the load will be limited to no more than two (2) miles



on the state highway system if the traffic volume on the proposed route exceeds two thousand (2,000) vehicles per day. If the traffic volume is less than two thousand (2,000) vehicles per day, movement will be considered up to a distance of ten (10) miles on the state highway system.

4. The traveled distances listed in the above two (2) paragraphs reflect the total miles of the move on the state highway system rather than miles allowed to move per attempt. Short segments of the state highway system may be used in a move provided the total mileage allowed on the state highway system is not exceeded. The district engineer or his/her representative may consider a longer travel distance if the entire move can be made during periods of lower traffic volumes listed in the above two (2) paragraphs of this section. Additional restrictions regarding travel during adverse weather conditions are at the discretion of the Missouri Department of Transportation district engineer or his/her representative.

(B) The allowable overall height, width, length, and time of travel shall be based on physical features and traffic volumes along the route. Bridges posted with a maximum weight limit of less than forty (40) tons should be avoided and will be analyzed for the type vehicle and load prior to receiving approval to cross that bridge. All axles on the hauling unit shall be load carrying with a maximum degree of equalization. The district engineer or his/her representative shall determine whether or not the hauling unit, number of axles, and axle arrangements are acceptable. When it is determined a bridge analysis is required, an additional fee shall be charged to recover bridge analysis costs. See subsection (4)(B). Loads in excess of sixteen feet (16') in width may require a sketch displaying the side and rear view of the load with dimensions including any overhang.

(C) If the load is over seventeen feet five inches (17'5") high the applicant shall check all overhead clearance restrictions and provide written documentation from any involved utility company indicating approval to disturb aerial lines across the route. The applicant must also submit written acknowledgement from all cities/counties in which the move occurs. If it is necessary to adjust, modify, or remove state owned property such as signal and sign mast arms, flashers, signs, etc., a qualified contractor approved by the Missouri Department of Transportation shall be hired by the applicant to perform the necessary adjustment or removal and replacement. See section 324.721 of the *Missouri Revised Statutes* for additional information.

(D) For the purpose of moves under sec-

tion (16), the applicant must have a current house-mover license, applicable operating authority, and must have insurance in the amount of two (2) million dollars combined single limit automobile liability before a permit can be issued. The applicant shall provide evidence of such license and insurance satisfactory to the Missouri Department of Transportation.

(E) Escort Requirements. Applicants should refer to sections 324.700 through 324.745 of the *Missouri Revised Statutes* for additional information pertaining to house moves. In addition to escort requirements as outlined in section (9), the following requirements apply to all house moves:

1. One (1) front and one (1) rear civilian escort is required for all house moves, except;

2. One (1) front and two (2) rear civilian escorts are required in Kansas City and St. Louis areas when load is required to cross bridge structures at crawl speed;

3. One (1) front and two (2) rear civilian escorts required on all sections of dual lane highways traversed if load exceeds sixteen feet (16') wide; and

4. Law enforcement escorts may be required at the district engineer or his/her representative's discretion.

*AUTHORITY: sections 304.180 and 304.200, RSMo 2016.\* This rule was previously filed as 7 CSR 10-2.010. Original rule filed July 12, 2005, effective Feb. 28, 2006. Emergency amendment filed July 7, 2008, effective Sept. 2, 2008, expired Feb. 28, 2009. Amended: Filed July 7, 2008, effective Feb. 28, 2009. Amended: Filed Dec. 5, 2014, effective July 30, 2015. Amended: Filed Oct. 14, 2016, effective July 30, 2017.*

*\*Original authority: 304.180, RSMo 1939, amended 1943, 1949, 1951, 1957, 1963, 1965, 1967, 1983, 1985, 2000, 2001, 2008, 2012, 2013, 2014, 2015 and 304.200, RSMo 1939, amended 1943, 1972, 1979, 1983, 1985, 1988, 1989, 1995, 1996, 2000, 2002.*

### **7 CSR 10-25.030 Apportion Registration Pursuant to the International Registration Plan**

*PURPOSE: The Missouri Highways and Transportation Commission has the authority to negotiate and to enter reciprocal agreements with other jurisdictions. This rule explains the provisions under which apportionment of registration fees with other jurisdictions can be accomplished and how to apply for registration under the International Registration Plan.*

*PUBLISHER'S NOTE: The secretary of state*

*has determined that the publication of the entire text of the material which is incorporated by reference as a portion of this rule would be unduly cumbersome or expensive. This material as incorporated by reference in this rule shall be maintained by the agency at its headquarters and shall be made available to the public for inspection and copying at no more than the actual cost of reproduction. This note applies only to the reference material. The entire text of the rule is printed here.*

#### **(1) Definitions.**

(A) Commission means the Missouri Highways and Transportation Commission created in Article IV, Section 29 of the *Missouri Constitution*;

(B) Director means the director of the Motor Carrier Services Division of the Missouri Department of Transportation who is the official designated by the commission to be responsible for administration of the International Registration Plan (IRP);

(C) Division means the Motor Carrier Services Division of the Missouri Department of Transportation; and

(D) Temporary vehicle registration means a temporary permit authorizing operation of vehicles in other member jurisdictions pending full registration upon completion of the initial or renewal application.

(2) Whenever the commission has entered into a reciprocal agreement providing for exemption from registration or the payment of registration fees on an apportionment basis with other member jurisdictions, the operator of a fleet of vehicles based in any one (1) of the member jurisdictions must comply with the provisions of the applicable agreement. The *International Registration Plan* (IRP) is a registration reciprocity agreement among the states of the United States, Washington D.C., and the Canadian provinces and includes Missouri as a member. The IRP, published July 1, 2016, is incorporated herein by reference and made a part of this rule as published by the International Registration Plan, Inc., 4196 Merchant Plaza, #225, Lake Ridge, VA 22192. This rule does not incorporate any subsequent amendments or additions.

(3) The registrant shall be required to preserve all operational records on which the registrant's application for apportioned registration is based for a period of three (3) years following the close of the registration year to which the application pertains and to make these records available for examination by the commission at its request. Upon initial or renewal application for apportioned registration, the registrant will provide any actual





distance traveled in any member jurisdictions for the reporting period or be allowed to estimate distance pursuant to the standards in the IRP in the jurisdictions intended to operate. The fees on estimated distances shall be calculated to conform with the IRP. The commission may use an average per-vehicle distance based on its own data if the registrant's estimated distance is not acceptable to the commission.

(4) Qualified vehicles proportionally registered and displaying the Missouri credentials shall be deemed properly registered in all jurisdictions where such vehicle is proportionally registered for any type of movement or operation provided the registrant has proper interstate or intrastate authority from the commission or is exempt from regulation by the commission.

(5) All qualified vehicles shall be registered on a quarterly staggered registration year basis beginning either January 1, April 1, July 1, or October 1. Applications for renewal and payment are to be filed in accordance with section 301.041, RSMo. A waiver request, in writing, of late filing or late payment may be granted one (1) time only or for other circumstances which the director or his/her designee deems appropriate.

(6) Properly prepared proportional applications will be accepted by mail, in person, or electronically and subject to audit. The commission may refuse to accept applications which list operations that do not appear to be based in or accumulating distance in Missouri, or from applicants or operations whose registration privileges are currently revoked or suspended in another member jurisdiction. The commission reserves the right to obtain further documentation or information to verify compliance with this section. All plates and cab cards and reciprocal exemptions are subject to cancellation and revocation in the event of erroneous issuance or if any fees remain unpaid.

(7) Cab Card. Evidence of registration other than the license plate which shall be carried at all times in the vehicle for which it is issued and shall be valid for the current registration period. Qualified vehicle cab cards are issued each registration year upon payment. Trailers will be issued a permanent, nonexpiring cab card. Acceptable forms of a cab card include, but are not limited to, the originally issued registration, including such registration issued by electronic means, and any facsimile transmission or photocopy of such original cab card. All acceptable forms

of a cab card shall be legible upon visual inspection.

(8) Upon completion of initial or renewal applications, subsequent applications may be filed during the current registration year to—

(A) Add vehicle—addition of a power unit or trailer to the fleet that has not been previously registered;

(B) Add vehicle and transfer—the removal of a vehicle from service in a registered fleet to be replaced with another vehicle whether the registered gross weight is the same, to be increased, or to be decreased. A fee credit is not allowed for a vehicle not permanently removed from the fleet such as removal for repair or rebuilding. If the vehicle has been permanently removed from fleet service due to destruction by accident or change of ownership, change of base point, or expiration or cancellation of lease, the registrant may replace the vehicle with a replacement vehicle. If a registrant elects to remove or withdraw a vehicle from its fleet, the registrant shall either: 1) return the cab card issued to the operator by the commission with an application for the transfer of proportional credentials; or 2) certify that the cab card has been lost, stolen, or destroyed. For each member jurisdiction in which operation has been requested, any required fees will be assessed for those member jurisdictions in accordance with those member jurisdictions' laws. Applications for transfer of apportioned credentials that request a replacement plate must be accompanied by a replacement fee for each plate replaced. Once a vehicle has been removed, the same vehicle cannot later be added back to the fleet for the registration year without the payment of additional fees unless proof of non-use or proof of new ownership is submitted. Upon audit, credit will not be transferable if it is determined that the removed unit was still operating. If a vehicle is added or re-added to the registration fleet and has been issued a Missouri plate in which one hundred percent (100%) of the fees were paid to Missouri, credit will be given on the apportioned fees due Missouri for the current registration year. Additions and removals to a registered fleet will not be accepted when the carrier's account indicates that past additions and removals were only temporary or for the purpose of allowing two (2) or more vehicles to operate on the payment of one (1) fee for the registration year;

(C) Delete vehicle—removal of a vehicle from service in a registered fleet. The plate(s) must be surrendered. The director uses the date the plate is surrendered as a basis for credit or refund, which will be issued pursuant to section 301.121, RSMo. The director pro-

vides the registrant with notification letters to other member jurisdictions in which fees have been paid that the applicant may use to obtain refunds, if applicable, from other member jurisdictions. All apportioned license plates for which renewal is not requested shall be returned or postmarked to the director at the end of the current registration year. If an applicant initially elects to renew registration for a vehicle during the annual renewal process and pays all required fees to Missouri and other member jurisdictions for the new registration year and then determines that registration is not desired prior to the effective date of the new registration year, the carrier may obtain a full refund of such registration fees if the plate is returned or postmarked to the director by the last day of the current registration year;

(D) Replace cab card—the issuance of a new cab card to replace originally issued cab card;

(E) Fleet to fleet transfer—the movement of a vehicle with plate from one (1) fleet to another within the same carrier account during the current registration year. The director allows credit for fees paid to Missouri. Other member jurisdictions listed in the fleet registration may require additional fees or repayment of fees based on the distance percentage of the new fleet;

(F) Replace plate—the reissuance of a lost, stolen, or destroyed plate;

(G) Amend vehicle—changes or corrections to vehicles in a registration fleet within a carrier account during the current registration year. Any vehicle information except the vehicle identification number may be changed. Fees are calculated based on the amended vehicle application date and vehicle changes;

(H) Cab card correction—changes or corrections to the cab card such as equipment number, make of vehicle, vehicle identification number, title state, title number, United States Department of Transportation (USDOT) number at the vehicle level, and federal identification number at the vehicle level, which has no bearing on fees previously assessed for other member jurisdictions. A new cab card will be issued upon payment of the cab card fee;

(I) Change carrier type/commodity class—changes or corrections to a carrier's type of operation for a specific registered fleet within a carrier account such as private, for hire, and commodity hauled. For member jurisdictions which base fees on carrier type and commodity hauled, additional fees may be due;

(J) Name change—change or correction of the legal name of the registrant at the account level, including USDOT number and federal identification number; or



(K) Weight group change—changes to the weights of a group of vehicles which operate at a specific weight in Missouri and other member jurisdictions. Fees will be assessed for the member jurisdictions in accordance with those member jurisdictions' laws based on the weight group changes which were made to all the vehicles within the group. In cases of weight group decrease, no refund or credit will be made.

(9) Temporary Vehicle Registration. Upon prior and immediate submission of: payment of all required fees; creation of an account with the commission; and all required documentation that shall be subject to approval by the director or the director's designee, then the commission may issue temporary vehicle registration (TVR), in lieu of apportioned registration and licenses, for forty-five (45) days for Missouri-based licensed vehicles so that a vehicle may immediately operate upon the highways of Missouri. A Missouri-based licensed vehicle may have one (1) fifteen-(15-) day TVR extension, but only after all fees have been paid and all required documents have been submitted and have received approval. Copies of the TVRs must be carried in the vehicles at all times when no cab cards are available and displayed upon request of any law enforcement or Missouri Department of Transportation official.

(A) Suspension. After issuance of any TVR, if the commission determines that payment of the required fees were not deposited with the commission and/or the commission determines the documentation, for any reason, is insufficient to support the continued use of the TVR, or the privilege of a TVR is being abused, the commission shall suspend the registrant's privileges of receiving TVRs and/or additional credentials for that registrant's vehicles for the duration of the suspension period. A suspension period shall not exceed six (6) months. Prior to the issuance of any suspension of TVRs and credentials, the commission shall notify the registrant in writing that the commission shall suspend the registrant's TVR effective on a date ten (10) days after the date of the letter, the reason or reasons for, and duration of, the suspension, and provide information regarding the action or actions the registrant must complete within ten (10) days of the date of the letter to become compliant and avoid imposition of the suspension. Upon the registrant taking the action or actions set forth in the commission's notice, the suspension shall be terminated. If the suspension is solely due to TVR abuse, the registrant shall not receive TVRs for the length of the suspension, but may receive other credentials.

(B) Revocation. The alteration of a TVR will result in a one- (1-) year TVR revocation. Revocation of TVR privileges will be reviewed not later than one (1) year after the revocation was imposed and became effective at which time if all delinquent fees are paid and all required registration documentation is submitted and confirmed by the director, or the director's designee, to be accurate, then a reinstatement order will be issued.

(C) Flagrant and/or repeated violations. Flagrant or repeated violations of these rules related to TVR credentials are not in the interest of public safety and the carrier will be advised by the director in writing if the carrier's record requires that future TVR credentials shall not be granted to the carrier by the commission. Suspensions, revocations, and reinstatements may be modified or rescinded by the director, or the director's designee.

(D) Fees. When a request for TVR is made, fees will be charged according to the application type from the time of issuance until the end of the registration year. At no time will the application type be changed during operation or after the expiration of the TVR unless approved by the director or his/her designee. The director or his/her designee may cancel the TVR if the registrant returns the TVR within five (5) days of issuance or reduce TVR fees if the TVR is returned before the expiration date and provided the registrant submits adequate proof to support registrant's written request for reduction of fees.

(E) Delegation. The commission hereby delegates any action it is required or may take under this section (9) to the director, or the director's designee.

(10) Trip Leasing.

(A) A registrant may lease equipment to another fleet registrant and the lessor shall be responsible for reporting the distance traveled by the leased equipment. The lessee shall be the person using and operating the equipment by the lease agreement.

(B) An apportioned vehicle may be leased to a nonapportioned carrier in any jurisdiction. The lessor shall be responsible for reporting the distance traveled by the leased equipment.

(11) The commission reserves the power to fix and collect a reasonable fee to cover the costs of handling and issuing all credentials or other evidence of proper registration necessary for operating a qualified vehicle in this state.

(12) The commission shall require the fol-

lowing prerequisite documentation to support an application for apportioned registration:

(A) Personal Property Tax Receipt Required. A Missouri tax receipt or a statement certified by the county or township collector of the county or township in which the applicant's property was assessed showing payment of the personal property tax or that no tax is due by the owner is a prerequisite to the registration of qualified vehicles. A detailed vehicle listing or copy of the assessment form filed by the vehicle owner with the county assessor may be requested in addition to the tax receipts when the receipt does not include complete vehicle information. Carriers using Missouri as the base jurisdiction for apportioned registration purposes asserting no distance was operated by specific vehicles in Missouri shall submit to the commission the Affidavit Affirming No Missouri Distance Traveled, which is incorporated herein by reference and made a part of this rule as published by the Missouri Highways and Transportation Commission, 105 W. Capitol Avenue, PO Box 270, Jefferson City, MO 65102, effective August 1, 2007, which lists those specific vehicles and requires the signatures of both the county collector and assessor. This rule does not incorporate any subsequent amendments or additions of this affidavit. Such affidavit shall not be used as a waiver by any registrant. The Affidavit Affirming No Missouri Distance Traveled may be obtained from the Motor Carrier Services Division website at: <http://www.modot.org/mcs/documents/AFFIDAVITAFFIRMINGNOMISSOURIMILES.docx>JUNE.pdf;

(B) Federal Heavy Vehicle Use Tax Receipt Required. Qualified vehicles that have a taxable gross weight of fifty-five thousand pounds (55,000 lbs.) or more are required to show proof of payment of Federal Heavy Vehicle Use Tax or that no tax is due as a prerequisite to the registration of a qualified vehicle;

(C) Liability Insurance. Effective July 1, 1987, each Missouri-based registrant must maintain liability insurance coverage or provide proof of self-insurance, if applicable, on all vehicles bearing a Missouri-apportioned license plate. Proof of liability insurance coverage is a prerequisite to the registration of a qualified vehicle;

(D) Lease Agreement. A copy of all lease agreement(s), if applicable, will be required for all vehicles under the control and possession of the registrant. Such lease agreement shall comply with the requirements of 7 CSR 265-10.040; and

(E) Titles. Proof of certificate of ownership is required for all vehicles. When the vehicle is owned by the registrant, a Missouri certificate



of ownership in the legal name of the registrant will be required. When a vehicle is owned by another entity other than the registrant, the certificate of ownership from the entity's resident jurisdiction will be accepted.

(13) Vehicles Operated Solely in Intrastate Commerce. Notwithstanding any other provision of law, no reciprocity shall be granted under any statute or agreement for the operation of any qualified vehicle within Missouri solely in intrastate commerce, but all vehicles so engaged must be duly registered and licensed in Missouri.

(14) Any contractor or subcontractor of the commission that is subject to regulation under these administrative rules shall at all times, while conducting business with the commission under such contract, be in good standing with the laws of the state of Missouri and the administrative rules of the commission, or shall obtain full compliance with such laws or rules within ten (10) days of being notified in writing of noncompliance by Motor Carrier Services Division (MCS).

*AUTHORITY:* sections 142.617, 226.008, 226.130, and 301.275, RSMo 2016.\* This rule originally filed as 12 CSR 20-3.010. Original rule filed July 22, 1965, effective Aug. 1, 1965. Amended: Filed Oct. 28, 1974, effective Nov. 7, 1974. Amended: Filed Oct. 15, 1986, effective Jan. 30, 1987. Amended: Filed Nov. 1, 1991, effective March 9, 1992. Emergency amendment filed Feb. 8, 2007, effective March 3, 2007, expired Aug. 29, 2007. Moved and amended: Filed Feb. 8, 2007, effective Aug. 30, 2007. Amended: Filed Aug. 9, 2007, effective July 1, 2008. Amended: Filed May 15, 2015, effective Dec. 30, 2015. Amended: Filed Oct. 14, 2016, effective July 30, 2017.

\*Original authority: 142.617, RSMo 1988, amended 1998; 226.008, RSMo 2002, amended 2014; 226.130, RSMo 1939, amended 1993, 1995; and 301.275, RSMo 1958.

*Brady Motorfrate, Inc. v. State Tax Commission*, 517 SW2d 133 (1974). Court concluded that the statute under which this rule was promulgated did not expressly or by implication provide for the automatic modification of the agreement by one of the contracting states (Missouri) upon the occurrence of a breach of the terms of the agreement by any other contracting state (Iowa), and does not countenance, authorize or compel unilateral retaliatory action following such a breach.

### 7 CSR 10-25.040 Notice to be Given to Consumers by Household Goods Carriers—Timing of Delivery, Form and Contents

*PURPOSE:* This rule requires motor carriers of household goods to provide an informational pamphlet to customers or potential customers at appropriate times, informing them of their rights and obligations as consumers of intrastate household goods carriage services. The intent of the rule is to better inform consumers and reduce the likelihood of disputes arising between household goods carriers and their customers.

(1) Motor carriers transporting or offering to transport household goods in intrastate commerce on the public roads of this state shall provide a notice of consumer rights and obligations as set forth herein to their shipper customers or potential customers.

(2) The notice shall be provided to the shipper customer or potential customer at the first occurrence of the following events between the carrier and the shipper customer:

(A) When the carrier presents to the shipper customer any binding or non-binding estimate of charges for carriage of household goods in intrastate commerce;

(B) When the carrier takes any action in furtherance of assuming the carriage rights and responsibilities of any other carrier, which has become incapable, for any reason, to complete a shipment of household goods in intrastate commerce;

(C) When the carrier presents to the shipper customer any contract or offer to provide for carriage of household goods.

(3) The notice to be provided shall be delivered by hand delivery, in person, when the contact with the shipper customer or potential customer as described in section (2) above is in person contact. When the contact with the shipper customer or potential customer is by telephone or mail, the notice to be provided shall be delivered by depositing the notice brochure, enveloped and addressed properly to the shipper customer or potential customer, into United States mail, first class postage prepaid, within two (2) working days of the telephone or mail contact. Carriers may send the notice via facsimile transmission, e-mail, or any other electronic medium which accurately duplicates the prescribed form and content of the notice, within two (2) working days after an event described in section (2) of this rule. Carriers shall send the notice by such an electronic medium, if available, whenever the shipper customer or potential customer has requested notice via

that medium, or has contacted the carrier by that medium and has not requested notice by a different medium.

(4) Motor carriers of household goods shall maintain a permanent written record which certifies that they delivered the required notice pamphlet to the shipper customer or potential customer as required by this rule, including the date and manner of delivery. This record shall be kept at the carrier's principal place of business or terminal of operations responsible for that move.

(5) The notice of customer rights and obligations shall contain words and phrases set forth in the current form of notice printed by the Department of Transportation (MoDOT), in not less than nine (9)-point type, in a readily legible format. The Department of Transportation shall make copies of the notice available in reasonable quantities at no cost to the household goods carriers registered for intrastate carriage in this state. The notice can be found on the MoDOT Motor Carrier Services website located at: <http://www.modot.mo.gov/mcs>.

(6) Motor carriers of household goods in intrastate commerce shall, prior to delivery of the notice brochure required by this rule, insert or affix their company name, address and telephone number by imprint, stamp or decal affixed to the blank space provided for such information in the notice form prescribed by MoDOT.

(7) Motor carriers of household goods in intrastate commerce shall maintain records of delivery of the notice required by this rule at their principal place of business or terminal of operations responsible for the move, for a minimum period of twelve (12) months following the contact with the shipper customer or potential customer, and shall produce such records for inspection upon demand at any time by authorized Motor Carrier Services Inspectors or other authorized personnel from the Department of Transportation.

(8) Nothing in this rule shall be construed to cause, work, provide or effect any representation, guarantee, warranty, indemnification or other assurance by the state of Missouri, the Missouri Highways and Transportation Commission or the Missouri Department of Transportation, of the services, representations or compensations for damages of any motor carrier to any shipper customer or potential customer of any motor carrier.

*AUTHORITY:* sections 226.008, RSMo Supp. 2005 and 387.060, RSMo 2000.\* Original



rule filed Aug. 16, 2004, effective March 30, 2005. Amended: Filed May 11, 2006, effective Nov. 30, 2006.

\*Original authority: 226.008, RSMo 2002 and 387.060, RSMo 1939, amended 1996.

### 7 CSR 10-25.050 Reciprocity with Other States—Registration of Trailers

**PURPOSE:** *The Missouri Highways and Transportation Commission has the authority to negotiate and to enter reciprocal agreements with other jurisdictions for registration of commercial motor vehicles for interstate commercial use of the highways. This rule interprets the statutes with respect to reciprocity and registration.*

(1) Trailers. Unless otherwise provided by duly executed reciprocity agreements authorized by law, trailers registered in any member jurisdiction may be operated in combination with any motor vehicle properly registered pursuant to such reciprocity agreement.

(2) The Highways and Transportation Commission delegates to the Department of Transportation's Motor Carrier Services Division (MCS) the authority to issue temporary vehicle registration in lieu of permanent registrations for interstate trailers. The original or a copy of the cab card authorized pursuant to 7 CSR 10-25.030(8) for the trailer must be carried in or upon the tractor pulling the trailer at all times. To register any number of trailers with the commission, a person or corporation must have at least one (1) tractor registered with the commission.

(3) Reciprocal privileges granted under section 301.271, RSMo can only be granted to an owner who is not a resident of Missouri, who has properly registered the vehicle desired to be operated within the jurisdiction where the owner is a resident.

(4) Vehicles operating solely in interstate commerce on the highways of Missouri are not required to pay Missouri motor vehicle registration fees. Vehicles operating or moving in solely intrastate commerce between two (2) points in Missouri or carrying any merchandise or passengers between two (2) points in Missouri will be required to pay the full Missouri motor vehicle registration fees required for the operation.

(5) In the event of the loss, theft, mutilation, or destruction of any license plate the registrant may file with the commission a notice of

such loss, theft, mutilation, or destruction together with any fee required by section 301.300, RSMo, to obtain a duplicate or replacement plate.

(6) Any contractor or sub-contractor of the commission that is subject to regulation under these administrative rules shall at all times while conducting business with the commission under such contract be in good standing with the laws of the state of Missouri and the administrative rules of the commission, or shall obtain full compliance with such laws or rules within ten (10) days of being notified of noncompliance by MCS.

**AUTHORITY:** *sections 226.130 and 301.275, RSMo 2000 and 226.008, RSMo Supp. 2007.\* This rule previously filed as 12 CSR 20-2.010. Original rule filed July 22, 1965, effective Aug. 1, 1965. Amended: Filed Oct. 28, 1974, effective Nov. 7, 1974. Amended: Filed Oct. 15, 1986, effective Jan. 30, 1987. Moved to 7 CSR 10-25.050 and amended: Filed Aug. 9, 2007, effective Feb. 29, 2008.*

\*Original authority: 226.130, RSMo 1939, amended 1993, 1995; 226.008, RSMo 1988, amended 1993, 2002; and 301.275, RSMo 1958.

**Brady Motorfrate, Inc. v. State Tax Commission 517 SW2d 133, (1974).** *Court concluded that the statute under which this rule was promulgated did not expressly or by implication provide for the automatic modification of the agreement by one of the contracting states (Mo.) upon the occurrence of a breach of the terms of the agreement by any other contracting state (Iowa) and does not countenance, authorize or compel unilateral retaliatory action following such a breach.*

### 7 CSR 10-25.060 Trip Permits and Hunter's (Unladen) Permits

**PURPOSE:** *The Missouri Highways and Transportation Commission has the authority to issue trip permits for specified limited periods of commercial interstate use of Missouri highways. This rule interprets the purposes and the requirements for such issuance by the commission.*

(1) Definitions.

(A) Fuel trip permit means a seventy-two (72) hour permit which is used to satisfy motor fuel use tax obligations on a trip-by-trip basis.

(B) Hunter's (Unladen) permit authorizes the movement of a vehicle which was proportionally registered in Missouri for purposes of securing a new lease agreement at the

empty weight for thirty (30) days in member jurisdictions of the International Registration Plan (IRP).

(C) Seventy-two (72) hour reciprocity trip permit authorizes a vehicle legally registered in another jurisdiction to be operated intra-jurisdictionally and inter-jurisdictionally on the highways of Missouri in lieu of apportioned or full registration.

(D) Seventy-two (72) hour permit authorizes the movement of a vehicle on the highways of Missouri pending issuance of credentials when such vehicle is registered in accordance with Chapter 390, RSMo.

(2) Trip permits may be obtained from the commission through its Motor Carrier Services Division (MCS) in Jefferson City, Missouri, by facsimile, electronically, telephone, private contractors, or in person. The commission will not assume responsibility of loss for a transaction between two (2) private entities when a permit is not claimed by the applicant.

(3) Trip permits may be obtained either singly as one (1) permit, in two (2) parts as one (1) permit, or in three (3) parts as one (1) permit in any number by completing the application and remitting the proper fees.

(4) The commission is authorized to enter into contracts with third parties to sell trip permits to the general public.

(5) A hunter's permit may be obtained from the commission only when:

(A) The commercial motor vehicle has been proportionally registered with the commission;

(B) The vehicle cannot be operated on Missouri highways because of lease cancellation;

(C) The plate on the vehicle has been returned to either the commission or to the lessee; and

(D) All other prerequisites of section 301.266, RSMo are fulfilled.

(6) The fee for trip or hunter's permits specified under state law is nonrefundable.

(7) The trip or hunter's permit shall be in full force and effect before the operation of the motor vehicle commences on Missouri highways.



*AUTHORITY: sections 142.830, 226.130, 301.265, 301.267, and 301.275, RSMo 2000 and 226.008 and 390.136, RSMo Supp. 2007.\* This rule originally filed as 12 CSR 20-6.010. Original rule filed Nov. 20, 1967, effective Jan. 1, 1968. Amended: Filed Oct. 15, 1986, effective Jan. 30, 1987. Moved to 7 CSR 10-25.060 and amended: Filed Aug. 9, 2007, effective Feb. 29, 2008.*

*\*Original authority: 142.830, RSMo 1998; 226.130, RSMo 1939, amended 1993, 1995; 301.265, RSMo 1965, amended 1971, 1975, 1986; 301.267, RSMo 1975, amended 1986; 301.275, RSMo 1958; 226.008, RSMo 1988, amended 1993, 2002; and 390.136, RSMo 1990, amended 2004.*

### 7 CSR 10-25.070 Definitions

*PURPOSE: This rule sets forth and defines terms used in rules under this chapter which are not defined in the International Fuel Tax Agreement.*

*PUBLISHER'S NOTE: The secretary of state has determined that the publication of the entire text of the material which is incorporated by reference as a portion of this rule would be unduly cumbersome or expensive. This material as incorporated by reference in this rule shall be maintained by the agency at its headquarters and shall be made available to the public for inspection and copying at no more than the actual cost of reproduction. This note applies only to the reference material. The entire text of the rule is printed here.*

(1) When used in administrative rules 7 CSR 10-25.070 through 7 CSR 10-25.073, the following words and phrases have the meaning set forth here in this rule:

(A) "Agreement" means the International Fuel Tax Agreement (IFTA), which is incorporated herein by reference and made a part of this rule as published by the International Fuel Tax Association, Inc., 912 West Chandler Blvd., B-7, Chandler, AZ 85225, revised July 1, 2015. This rule does not incorporate any subsequent amendments or additions of this manual;

(B) "Bulk fuel storage" means a bulk fuel storage facility is being used to redistribute tax paid fuel into qualified vehicles as needed. Credit may be claimed on the tax paid purchase, on the IFTA return under "tax-paid gallons", as it is placed into the tanks of qualified vehicles provided the licensee maintains the date of withdrawal, number of gallons or liters withdrawn, fuel type, unit number of the vehicle into which the fuel was placed, and purchase invoices and inventory records showing that tax was paid on the bulk fuel purchases;

(C) "Cash bond" means a guaranteed pay-

ment to cover any outstanding tax liability;

(D) "Commission" means the Missouri Highways and Transportation Commission created in Article IV, Section 29 of the *Missouri Constitution*;

(E) "Director" means the director of the Motor Carrier Services Division of the Missouri Department of Transportation who is the official designated by the commission to be responsible for administration of the Agreement;

(F) "Fuel trip permit miles" means miles accumulated while operating on a temporary fuel permit. Fuel trip permit miles are not taxable miles in any member jurisdiction. Fuel trip permit miles are included as total miles traveled on the quarterly tax return but are not included as taxable miles for the jurisdiction that issued the permit;

(G) "Idle time" means fuel used when the engine is running but not propelling the vehicle;

(H) "IFTA" means the International Fuel Tax Agreement;

(I) "Nontaxable fuel" is tax-paid fuel used to power a vehicle on roads other than the state's public highways (off-highway use); fuel used to operate devices mounted on the vehicle and powered by a power take-off (PTO) attached to the vehicle's transmission or used to power a refrigeration unit, generator, or any similar equipment wherein fuel is not used to power the tractor. Nontaxable fuel uses do not affect IFTA reporting. The IFTA quarterly tax return must include all gallons used by the licensee's qualified motor vehicles during the reporting period. Missouri allows refunds of fuel use tax on fuel used for purposes other than operating on the state's public highway system. To recover fuel tax paid on fuel used in other non-taxable ways, a licensee must file a claim for motor fuel tax refund with the Missouri Department of Revenue;

(J) "Nontaxable miles" are miles traveled while using a fuel trip permit. Fuel trip permit miles are not taxable miles in any member jurisdiction. Fuel trip permit miles are included as "total miles" on the quarterly tax return but are not included as "taxable miles" for the jurisdiction that issued the permit. Toll miles are taxable miles. Toll fees are not fuel taxes;

(K) "Off highway/road miles" are miles not driven on a public highway. These miles are taxable on the IFTA quarterly tax form in the total miles and taxable miles section. A licensee's IFTA quarterly tax return must include all miles traveled by qualified motor vehicles during the reporting period. Missouri allows refunds of motor fuel taxes paid on fuel used for purposes other than operat-

ing on the state's public highway system. Licensees can claim a motor fuel tax refund with the Missouri Department of Revenue;

(L) "Power of attorney" means a written statement legally authorizing a person to act on behalf of the applicant or licensee; and

(M) "Power Take Off (PTO) Equipment" means any accessory that is mounted onto, or an integral part of, the transmission of a motor vehicle that is registered for highway purposes and the equipment is powered by the main engine that also propels the vehicle.

(2) These definitions are supplemental to the definitions in the IFTA and shall be construed as consistent with the Agreement. In the event of a conflict between these definitions and the Agreement, the Agreement shall control.

*AUTHORITY: sections 142.617, 226.008, 226.130, and 301.275, RSMo 2016.\* This rule originally filed as 12 CSR 20-7.010. Original rule filed Nov. 1, 1991, effective March 9, 1992. Moved to 7 CSR 10-25.070 and amended: Filed Aug. 9, 2007, effective Feb. 29, 2008. Amended: Filed Oct. 14, 2016, effective July 30, 2017.*

*\*Original authority: 142.617, RSMo 1988, amended 1998; 226.008, RSMo 2002, amended 2014; 226.130, RSMo 1939, amended 1993, 1995; and 301.275, RSMo 1958.*

### 7 CSR 10-25.071 Application for International Fuel Tax Agreement License

*PURPOSE: This rule sets forth the procedures to be followed by an applicant to obtain an International Fuel Tax Agreement license.*

(1) A person or entity desiring to obtain an International Fuel Tax Agreement (IFTA) license shall file an application with the commission in accordance with provisions of the IFTA and sections 142.617 and 226.008, RSMo.

(2) All initial applications will be accepted via United States mail, facsimile, or in person. All subsequent applications may be filed electronically.

(3) The applicant shall provide the information requested on the application form prescribed by IFTA and shall also include, but not be limited to, the following:

(A) The applicant's United States Department of Transportation (USDOT) number, if applicable;

(B) Whether petroleum products are transported;

(C) Lease information, if applicable;



(D) Proof of Missouri plate registration and/or proof of Missouri application for apportioned registration under the International Registration Plan; and

(E) History of any out-of-state IFTA license.

(4) The applicant shall certify under penalty of law that the information contained in the application is true, accurate and complete, and that s/he agrees to comply with the reporting, record keeping, payment, display of decals and other requirements of the IFTA and the laws of this state.

(5) The applicant may appoint a carrier service or any other person other than the applicant as its power of attorney, but must submit the notarized power of attorney in writing to the commission prior to the applicant being issued an IFTA license.

(6) The applicant shall agree as part of the application that this state may withhold any refunds due if the applicant is delinquent in payment of fuel taxes due any IFTA member jurisdiction.

(7) The commission shall review the application and, upon satisfaction that the information contained in the application is true, accurate and complete, and that the applicant is not under revocation by any IFTA member jurisdiction at the time of application, issue the IFTA license and decals.

(8) The new year IFTA decal may be displayed one (1) month prior to its effective date with the current and new year IFTA license.

(9) The IFTA license shall be valid for the current calendar year ending December 31, and shall be reproduced by the licensee and placed in the qualified motor vehicles of the licensee's fleet.

(10) A thirty (30)-day temporary decal permit may be issued to a licensee in good standing to carry in lieu of displaying the annual decals. The temporary decal shall be vehicle specific, include an expiration date, and need not be displayed, but shall be carried in the vehicle with the current IFTA license.

(11) A licensee who has been suspended, or an applicant or licensee who has been denied issuance of an IFTA license for failure to comply with the requirements of IFTA or other requirements set forth by the commission may appeal the suspension or denial in accordance with the procedures set forth in 7

CSR 10-25.090.

*AUTHORITY: sections 142.617, 226.130 and 301.275, RSMo 2000 and 226.008, RSMo Supp. 2007.\* This rule previously filed as 12 CSR 20-7.020. Original rule filed Nov. 1, 1991, effective March 9, 1992. Moved to 7 CSR 10-25.071 and amended: Filed Aug. 9, 2007, effective Feb. 29, 2008.*

*\*Original authority: 142.617, RSMo 1988, amended 1998; 226.130, RSMo 1939, amended 1993, 1995; 226.008, RSMo 1988, amended 1993, 2002; and 301.275, RSMo 1958.*

### 7 CSR 10-25.072 Fuel Tax Returns

*PURPOSE: This rule sets forth the procedures to be followed by a licensee in filing quarterly fuel tax returns.*

(1) The licensee shall file a return with the commission each calendar quarter. Quarterly returns required to be filed by this rule and the agreement shall be filed as follows:

(A) First quarter returns are due on or before April 30;

(B) Second quarter returns are due on or before July 31;

(C) Third quarter returns are due on or before October 31; and

(D) Fourth quarter returns are due on or before January 31.

(2) Licensees that travel less than five thousand (5,000) miles during a single calendar year in jurisdictions other than the state of Missouri may qualify to file all four (4) quarterly International Fuel Tax Agreement (IFTA) returns at one (1) time. The returns are due on or before January 31 of the following year.

(3) If any date for filing a quarterly return shall fall on a Saturday, Sunday or legal holiday, the deadline shall be the next day which is neither a Saturday, Sunday nor legal holiday.

(4) Every licensee shall file a separate return each calendar quarter for each fuel type indicated on the initial or renewal application, even if the licensee conducted no operations that quarter.

(5) Quarterly returns may be sent via United States mail, delivered in person, facsimile, or electronically filed.

(6) The quarterly return shall cover the previous calendar quarter and shall be on forms prescribed by the commission.

(7) A valid signature on the initial or renewal application, or certification that the licensee agrees to comply with the requirements as specified in the International Fuel Tax Agreement (IFTA) when filing electronically, shall serve as the signature for all subsequent tax returns.

(8) Payment of all taxes, penalties, and interest, if applicable, due and owing to all IFTA member jurisdictions shall accompany the quarterly tax return. Any licensee may be required to make all payments by certified check or money order for good cause determined by the commission's Motor Carrier Services Division (MCS) director or his/her designee.

(9) Quarterly returns, after calculating all taxes owed to jurisdictions operated in during the quarter by the licensee, that result in a credit to the licensee, may be refunded at the request of the licensee, or credit may be accumulated to use on subsequent quarterly returns not to exceed eight (8) calendar quarters. Refunds of accumulated credits shall only be issued on credits of ten dollars (\$10) or more.

(10) Refunds to licensees will only be made when all tax liability, including audit assessments, have been satisfied to all applicable jurisdictions.

(11) A return not filed by the due date shall be considered as late and any taxes due delinquent. If the return is received on or before the due date, but rejected because the return is not sufficient for processing and the return is received a second or subsequent time after the due date, penalty and interest will be assessed.

(12) A licensee who files a late return or who fails to pay taxes due by the required due date shall be subject to a penalty of fifty dollars (\$50) or ten percent (10%) of the tax due, whichever is greater even if no tax is due or the licensee is entitled to a refund or credit of any taxes paid. The licensee may request in writing that the late penalty be waived by the MCS director or his/her designee. The waiver may be granted for circumstances which the director or his/her designee deems appropriate.

(13) A licensee who fails to pay taxes due shall be assessed interest at the rate established by the Agreement. The interest due on taxes owing to other jurisdictions shall not be waived without prior written approval from such other jurisdictions.



(14) A licensee may be required by the commission to post a cash bond: a) to reinstate a suspended account; or b) when in the commission's discretion, a bond is required to protect the interests of the IFTA member jurisdictions. The IFTA license can be suspended for non-filing of a quarterly tax return and/or delinquent taxes, penalties, and/or interest. Licensees will be notified thirty (30) days after the required due date that their account is in jeopardy of being suspended. Failure to respond within thirty (30) days of the notification will result in a Notice of Suspension.

(15) To reinstate an IFTA license, all delinquent quarterly returns must be filed and all outstanding taxes, penalties, and/or interest paid. Licensees with a tax liability of more than one hundred twenty-five dollars (\$125) are required to post a cash bond in the amount twice the average tax liability. The minimum bond amount to be posted will be three hundred dollars (\$300). The MCS bond form must be completed in the exact name as the IFTA fleet, must be signed and notarized. The MCS director or his/her designee may reduce the bond amount for other circumstances which the director or his/her designee deems appropriate.

(16) Licensees may request their bond to be refunded upon closing their IFTA fleet or if they have filed timely returns for the last three (3) years and all tax liabilities and assessments have been satisfied.

(17) Any contractor or subcontractor of the commission that is subject to regulation under these administrative rules shall at all times, while conducting business with the commission under such contract, be in good standing with the laws of the state of Missouri and the administrative rules of the commission, or shall obtain full compliance with such laws or rules within ten (10) days of being notified of noncompliance by MCS.

*AUTHORITY: sections 142.617, 226.008, 226.130, and 301.275, RSMo 2016.\* This rule previously filed as 12 CSR 20-7.030. Original rule filed Nov. 1, 1991, effective March 9, 1992. Moved to 7 CSR 10-25.072 and amended: Filed Aug. 9, 2007, effective Feb. 29, 2008. Amended: Filed Oct. 14, 2016, effective July 30, 2017.*

*\*Original authority: 142.617, RSMo 1988, amended 1998; 226.008, RSMo 2002, amended 2014; 226.130, RSMo 1939, amended 1993, 1995; and 301.275, RSMo 1958.*

**7 CSR 10-25.073 Record Keeping Requirements**

*PURPOSE: This rule sets forth the records required to be kept by licensees under the International Fuel Tax Agreement.*

(1) A licensee shall maintain sufficient records to substantiate any fuel tax return filed with the commission.

(2) A complete record of all fuel purchased, received and used in its operations shall be maintained by each licensee for a period of not less than four (4) years from the date of the return to which the records are applicable. Fuel records at a minimum, shall contain, the following:

- (A) Date of each receipt of fuel;
- (B) Name and address of the person/entity from whom the fuel was purchased or received;
- (C) Number of gallons/liters received and the price per gallon/liter;
- (D) Type of fuel;
- (E) Identity of vehicle or equipment into which the fuel was placed; and
- (F) Purchaser's name.

(3) A licensee shall maintain individual distance records for each trip for each qualified motor vehicle in its fleet for a period of not less than four (4) years from the date of the return to which the records are applicable. Distance records at a minimum, shall contain, the following:

- (A) Taxable distance;
- (B) Nontaxable distance;
- (C) Monthly and quarterly distance recaps for each jurisdiction in which the vehicle was operated;
- (D) Taxable usage of fuel; and
- (E) Nontaxable usage of fuel.

(4) Documentation in support of the records in section (3) shall include, but not be limited to, the following:

- (A) Date of trip (starting and ending);
- (B) Trip origin and destination;
- (C) Route of travel;
- (D) Beginning and ending odometer or hubodometer reading of the trip;
- (E) Total trip distance;
- (F) Distance traveled in each jurisdiction;
- (G) Unit number or vehicle identification number;
- (H) Vehicle fleet number; and
- (I) Licensee's name.

(5) Records required to be kept by this rule and the Agreement may be kept on microfilm, microfiche, or an imaging system.

(6) Failure to keep records in accordance with the rule and the Agreement may be cause for cancellation or revocation of the International Fuel Tax Agreement license. Refer to 7 CSR 10-25.072(17) for the reinstatement requirements for a cancelled or revoked International Fuel Tax Agreement license.

(7) Failure to provide records for the purpose of audit extends the statute of limitations for filing any claim for recovery of motor fuel taxes until the records are provided. Successive failure to provide any records requested for audit relate back to the first demand for those records.

(8) Records required to be kept under this rule and the Agreement shall be available to the commission and any member jurisdiction upon request.

*AUTHORITY: sections 142.617 and 301.275, RSMo 2000 and 226.008, RSMo Supp. 2007.\* This rule previously filed as 12 CSR 20-7.040. Original rule filed Nov. 1, 1991, effective March 9, 1992. Moved to 7 CSR 10-25.073 and amended: Filed Aug. 9, 2007, effective Feb. 29, 2008.*

*\*Original authority: 142.617, RSMo 1988, amended 1998; 301.275, RSMo 1958; and 226.008, RSMo 1998, amended 1993, 2002.*

**7 CSR 10-25.080 Investigation and Audits**

*PURPOSE: The Missouri Highways and Transportation Commission is authorized to require reports and perform audits and investigations of registrants and licensees to assist the commission in the performance of its duties.*

*PUBLISHER'S NOTE: The secretary of state has determined that the publication of the entire text of the material which is incorporated by reference as a portion of this rule would be unduly cumbersome or expensive. This material as incorporated by reference in this rule shall be maintained by the agency at its headquarters and shall be made available to the public for inspection and copying at no more than the actual cost of reproduction. This note applies only to the reference material. The entire text of the rule is printed here.*

(1) The commission may require reports from registrants/licensees as may be useful to assist the commission in performance of its duties. These reports shall furnish information as may be required by the International Registration Plan (IRP), which is incorporated herein by



reference and made a part of this rule as published by the International Registration Plan, Inc., 4196 Merchant Plaza, #225, Lake Ridge, VA 22192, effective July 1, 2016; and/or the International Fuel Tax Agreement (IFTA), which is incorporated herein by reference and made a part of this rule as published by the International Fuel Tax Association, Inc., 912 West Chandler Blvd., B-7, Chandler, AZ 85225, revised July 1, 2015; and/or the commission and shall cover certain periods and be made at the times the commission may direct. This rule does not incorporate any subsequent amendments or additions of the Plan or Agreement. These reports shall be in the form prescribed by the commission and shall be signed under certification as to the accuracy of the information included in such report. The aforementioned signatory shall be a person authorized to make such report on behalf of the registrant/licensee, which shall include, but not be limited to, the president, vice-president, secretary, or other responsible officer or employee of a corporation or association or by a partner or a responsible employee of a partnership.

(2) The commission may investigate and/or audit any registrant/licensee. Audits may be performed by the commission in other member jurisdictions or the commission may participate in joint audits with other member jurisdictions. The commission shall follow the audit standards and procedures established in the IFTA and IRP.

(3) Upon completion of any audit, the commission's Motor Carrier Services Division (MCS) shall provide notice of the audit findings to the registrant/licensee and to all member jurisdictions in which the registrant/licensee was apportioned or in which it traveled. Should the registrant/licensee have underpaid or overpaid any member jurisdiction in which its vehicles were apportioned or in which it traveled, this amount shall be netted when computing the results of the audit for refund or billing from MCS.

(4) If any registrant/licensee shall file any false report or give false information called for, or refuse or delay to give information pertinent to the commission in performing its duties, the commission shall have power to revoke any or all reciprocity as to the registrant/licensee.

*AUTHORITY: sections 226.008, 226.130, and 301.275, RSMo 2016.\* This rule originally filed as 12 CSR 20-5.010. Original rule filed July 22, 1965, effective Aug. 1, 1965. Amended: Filed Oct. 28, 1974, effective Nov.*

*7, 1974. Amended: Filed Oct. 15, 1986, effective Jan. 30, 1987. Amended: Filed Sept. 8, 1989, effective Jan. 26, 1990. Moved to 7 CSR 10-25.080 and amended: Filed Aug. 9, 2007, effective July 1, 2008. Amended: Filed Oct. 14, 2016, effective July 30, 2017.*

*\*Original authority: 226.008, RSMo 2002, amended 2014; 226.130, RSMo 1939, amended 1993, 1995; and 301.275, RSMo 1958.*

### 7 CSR 10-25.090 Appeals

*PURPOSE: This rule sets forth the procedures for appealing a determination of the Missouri Highways and Transportation Commission concerning the assessment of any tax, penalties, and/or interest under the International Fuel Tax Agreement and under the International Registration Plan.*

(1) A licensee/registrator may request an informal review of a decision of the commission regarding the assessment of any tax, penalties or interest under the Agreement or Plan or of any suspension, revocation, cancellation or denial of a license, except a decision resulting from an audit, within thirty (30) days of issuance of an initial determination.

(2) The informal review may be conducted in person, in writing or by telephone with Missouri Department of Transportation, Motor Carrier Services Division, personnel delegated such authority by the commission.

(3) In the event that the informal review is unable to resolve the dispute between the commission and the licensee/registrator, the initial determination shall become the final decision of the commission.

(4) Upon issuance of a final decision of the commission, a licensee/registrator may file, within thirty (30) days of the date of the decision or receipt, whichever is earlier, a written appeal of the decision with the Administrative Hearing Commission, PO Box 1557, Jefferson City, MO 65102-1557.

(5) A licensee/registrator shall renew his/her license/registration, if applicable, and shall continue to file all returns/applications not under appeal pending the determination of the Administrative Hearing Commission.

*AUTHORITY: sections 142.617, 226.130 and 301.275, RSMo 2000 and 226.008, RSMo Supp. 2007.\* This rule previously filed as 12 CSR 20-7.060. Original rule filed Nov. 1, 1991, effective March 9, 1992. Moved to 7*

*CSR 10-25.090 and amended: Filed Aug. 9, 2007, effective Feb. 29, 2008.*

*\*Original authority: 142.617, RSMo 1988, amended 1998; 226.130, RSMo 1939, amended 1993, 1995; 226.008, RSMo 1988, amended 1993, 2002; and 301.275, RSMo 1958.*