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**Rules of**  
**Missouri Department of Transportation**  
**Division 10—Missouri Highways and Transportation**  
**Commission**  
**Chapter 2—Traffic Regulation**

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**Title 7—MISSOURI DEPARTMENT  
OF TRANSPORTATION  
Division 10—Missouri Highways  
and Transportation Commission  
Chapter 2—Traffic Regulation**

**7 CSR 10-2.010 Overdimension and Overweight Permits**  
(Rescinded February 28, 2006)

*AUTHORITY:* section 304.200, RSMo Supp. 1988. Original rule filed Aug. 11, 1972, effective Aug. 21, 1972. Amended: Filed Sept. 18, 1972, effective Sept. 28, 1972. Amended: Filed Feb. 1, 1973, effective Feb. 11, 1973. Amended: Filed Sept. 21, 1973, effective Oct. 1, 1973. Amended: Filed July 1, 1974, effective July 11, 1974. Amended: Filed July 27, 1976, effective Nov. 15, 1976. Amended: Filed Oct. 13, 1978, effective Jan. 15, 1979. Amended: Filed Dec. 8, 1978, effective April 15, 1979. Amended: Filed Sept. 2, 1980, effective Dec. 15, 1980. Amended: Filed Oct. 6, 1982, effective Jan. 15, 1983. Amended: Filed June 1, 1984, effective Oct. 15, 1984. Amended: Filed Dec. 16, 1985, effective March 15, 1986. Amended: Filed Sept. 17, 1986, effective Dec. 15, 1986. Amended: Filed June 10, 1988, effective Oct. 13, 1988. Amended: Filed Nov. 9, 1989, effective Feb. 11, 1990. Emergency rescission and rule filed Nov. 9, 1999, effective Nov. 19, 1999, expired May 16, 2000. Rescinded and readopted: Filed Nov. 9, 1999, effective May 30, 2000. Rescinded: Filed July 12, 2005, effective Feb. 28, 2006.

*Park Transportation Co. v. Missouri State Highway Commission*, 332 Mo. 592, 60 SW2d 388 (1933). Classifications by State Highway Department requiring special overlength or overweight permits are not unconstitutional—court held classifications not arbitrary or discriminatory. Citizen may have under the Fourteenth Amendment the right to transport his/her property upon state highways by motor vehicles, yet s/he has no right to make the highways his/her place of business by using them as a common carrier for hire. Such use is a privilege which may be granted or withheld by the state in its discretion without violating the due process clause or the equal protection clause; therefore, contract hauler of road material could not restrain highway commission by injunction from enforcing rules concerning the obtaining of special permits before hauling without permit from point of production to nearest station of receiving carrier, burden being on the assailant to show classification of statute is arbitrary.

*State v. Schwartzman Service*, 225 Mo. App. 577, 40 SW2d 479 (1931). Legislature did not intend that the restricted definition of “motor vehicle” in 1921 Act should control the meaning of the term when used in 1925 Act dealing with weight and size limits; therefore, a trailer can be a “motor vehicle” and be subject to weight and length restrictions.

*Op. Atty. Gen. No. 262, Hyder, 7-11-62.* A hauler regularly transporting motor vehicles carrying agricultural implements or road making machinery or road materials must obtain permit if dimensions exceed statutory authorization. No permit required for such hauler not regularly engaged in such transportation.

*Op. Atty. Gen. No. 86, Stipp, 11-14-50.* Transportation of building by motor vehicle requires special permit from chief engineer of State Highway Department (State Highway Commission). Transportation of equipment of contractor by motor vehicle requires such special permit.

**7 CSR 10-2.020 Ordering Limitation of Weights on, or Closing of, Certain State Roads**

*PURPOSE:* This rule delegates authority of the State Highways and Transportation Commission to its chief engineer to immediately close or limit the use of state highways when extraordinary conditions jeopardize the preservation of such roads.

(1) The chief engineer, or his or her designee, may close wholly or in part, or set a maximum vehicle weight limit on, any road within the state highway system as he or she finds necessary for the safety of the traveling public or for the purpose of, or related to, the construction or maintenance of the state roadway system. Any closure or maximum weight limit imposed on any state highway shall be subject to the posting of signs that shall be located along the highway in the chief engineer’s sole discretion to give notice to the traveling public.

*AUTHORITY:* sections 227.250 and 304.210, RSMo 2016.\* Original rule filed Feb. 17, 1950, effective Feb. 27, 1950. Amended: Filed Feb. 9, 2018, effective Sept. 30, 2018.

\*Original authority: 227.250, RSMo 1939 and 304.210, RSMo 1939.

**7 CSR 10-2.030 Weight Limitation Exception**  
(Rescinded July 30, 2017)

*AUTHORITY:* sections 226.020, 226.150, and 304.180, RSMo 1986 and 23 USC 127 1987. Emergency rule filed Feb. 16, 1988, effective Feb. 26, 1988, expired June 25, 1988. Original rule filed Feb. 16, 1988, effective May 12, 1988. Rescinded: Filed Oct. 14, 2016, effective July 30, 2017.