



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

Title	Page
7 CSR 10-25.010 Skill Performance Evaluation Certificates For Commercial Drivers	3
7 CSR 10-25.020 Overdimension and Overweight Permits	4
7 CSR 10-25.030 Apportion Registration Pursuant to the International Registration Plan	18
7 CSR 10-25.040 Notice to be Given to Consumers by Household Goods Carriers— Timing of Delivery, Form and Contents	21
7 CSR 10-25.050 Reciprocity with Other States—Registration of Trailers	22
7 CSR 10-25.060 Trip Permits and Hunter’s (Unladen) Permits	22
7 CSR 10-25.070 Definitions	23
7 CSR 10-25.071 Application for International Fuel Tax Agreement License	23
7 CSR 10-25.072 Fuel Tax Returns	24
7 CSR 10-25.073 Record Keeping Requirements	25
7 CSR 10-25.080 Investigation and Audits.....	25
7 CSR 10-25.090 Appeals.....	26



Title 7—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. Therefore, the material which is so incorporated is on file with the agency who filed this rule, and with the Office of the Secretary of State. Any interested person may view this material at either agency's headquarters or the same will be made available at the Office of the Secretary of State at a cost not to exceed actual cost of copy reproduction. The entire text of the rule is printed here. This note refers only to the incorporated by reference material.

(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 operation 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) Whenever the term “exemption” is used in or has reference to 49 CFR part 381, the term “SPE certificate” shall be substituted for the term “exemption.” “SPE certificate” means a skill performance evaluation certificate, as defined in subsection 4 of section 622.555, RSMo.

(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 term “Federal Register” or any comparable term is used in the federal regulation, the term “Missouri Register” shall be substituted for that term.

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

(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 section 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. Appli-

cations for an intrastate SPE certificate, and related documents, shall be filed with the director of Motor Carrier Services, at the current business address of the director. Every application shall include all information and supporting documents required by section 622.555, RSMo, this rule, and the latest form of “Application for Skill Performance Evaluation Certificate” and related instructions approved by the director, and any additional information reasonably required by the director.

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

(4) Limb Exemption. The commission incorporates by reference in this rule the provisions of 49 CFR section 391.49 (Alternative physical qualification standards for the loss or impairment of limbs), as those regulations have been and periodically may be amended. Except to the extent they are inconsistent with any provisions of section 622.555, RSMo, or of this rule, those regulations are hereby made applicable to the issuance of intrastate SPE certificates to persons who are not physically qualified to drive pursuant to paragraphs (1) or (2), or both paragraphs (1) and (2), of subsection (b) of 49 CFR section 391.41, because of the person’s loss or



impairment of one (1) or more of the following: a foot, leg, hand, arm, or any part thereof.

(5) Vision Exemption. The commission incorporates by reference in this rule the provisions of subpart A (General) and subpart C (Procedures for Applying for Exemptions) of part 381 (Waivers, Exemptions and Pilot Programs) of Title 49, *Code of Federal Regulations*, and 49 CFR section 391.64 (Grandfathering for certain drivers participating in vision and diabetes waiver study programs), as those regulations have been and periodically may be amended. Except to the extent those regulations are inconsistent with any provisions of section 622.555, RSMo, or of this rule, those regulations are hereby made applicable to the issuance of intrastate SPE certificates to persons who are not physically qualified to drive pursuant to paragraph (10) of subsection (b) of 49 CFR section 391.41, because of impaired vision. Notwithstanding any provisions of 49 CFR part 381 to the contrary, this rule shall not authorize waivers or pilot programs, as defined in part 381.

(A) Every application filed pursuant to this section shall include one (1) or more affidavits describing the applicant's motor vehicle driving experience during the three (3)-year period immediately before the date of the application. Each affidavit shall contain all information required by the latest form of "Affidavit of Driving Experience" and pertinent instructions approved by the director.

(B) Notwithstanding any requirement of Title 49 CFR, or of any federal agency or officer made pursuant to Title 49 CFR, to the contrary, the director may determine that an applicant has adequately demonstrated the ability to operate a commercial motor vehicle safely with the vision impairment for the three (3)-year period immediately before the date of the application, if the director reasonably finds that:

1. During that three (3)-year period, the applicant safely and continuously operated commercial motor vehicles, or other motor vehicles licensed and used on public highways, with the vision impairment; and

2. If the driving experience required by paragraph 1. of this subsection was not performed in a commercial motor vehicle, then within sixty (60) days immediately before the date of the application, or while the application is pending, the applicant has successfully completed a road test as provided in subpart D of 49 CFR part 391, with the vision impairment, using a commercial motor vehicle and associated equipment of the type which the applicant seeks to drive pursuant to the SPE certificate.

(6) Other Physical Deficiencies. Persons who are physically unqualified to drive commercial motor vehicles pursuant to any provision of 49 CFR section 391.41(b), except paragraphs (1), (2) and (10), 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;

(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.

(7) 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.

(8) 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 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 driver's federal SPE certificate, and any other conditions imposed by the director.

(9) 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.

(10) 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 Supp. 2003. Emergency rule filed June 6, 2003, effective June 16, 2003, expired Feb. 26, 2004. Original rule filed June 6, 2003, effective Dec. 30, 2003.*

**Original authority: 226.008, RSMo 2002; 622.555, RSMo 2002.*

7 CSR 10-25.020 Overdimension and 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.

(1) General Regulations for Overdimension/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 subsequent destinations.

(B) Permits will not be granted for travel on the state highway system for movement of a load reducible in dimension(s) or weight, except for farm products (hay) and equipment with dual tires as permitted in sections (7) and (10). Reducible portions of any overdimension or overweight load shall include, but are not limited to, any attachment, accessory, member or assembly designed to be detached with hand tools.

(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 overdimension 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 as shown on the Missouri Vehicle Route Map and/or 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 such off-state highway and adhere to all bridge capacity postings on the state highway system.

(E) Limitations for all overdimension 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 overdimension 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. Power units shall have sufficient weight and power to handle the load safely and maintain reasonable speeds.

(H) Permits for round trips will not be issued. Each single trip permit covers the movement of one (1) load only, between one origin and one 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, except for multi-state permits which must be completed in ten (10) days, and blanket permits which are for a specified period.

(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. In the event a holiday falls on Saturday, the restriction will apply to the

preceding Friday. If a holiday falls on Sunday, the restriction will apply to the following Monday. On all holidays, the restriction will begin at 12:00 noon on the day preceding the holiday or the holiday weekend period.

2. All offices are closed on the holidays listed in paragraph (1)(I)1. Only the Jefferson City office will be open on Martin Luther King Day (third Monday in January), Lincoln's Day (February 12), Presidents' Day (third Monday in February), Truman Day (May 8), Columbus Day (second Monday in October), and Veterans' Day (November 11). All other offices will be closed on these dates, and on any date designated by the governor as a holiday; however, movement under permit is allowed on these days.

(J) 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 must submit proof of insurance meeting the required minimum amount before a permit can be issued. While operating under authority granted under this rule, an applicant must have on file with the Missouri Department of Transportation, Motor Carrier Services Division an approved certificate of liability insurance specifically showing coverage of 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

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

(B) For movement of a noncommercial building (as described in section (16)), the insurance certificate or other evidence of insurance provided by the applicant MUST INCLUDE the following statement under description of operations: "STRUCTURAL MOVING OPERATIONS OF THE NAMED INSURED INCLUDED IN THIS COVERAGE." In the case of excessive overweight, additional financial responsibility may be

required to protect the state in regard to excessive damage to the state highway system and its facilities.

(C) Insurance for all permit operations shall be in force for the duration of the permit period.

(D) Filing of Documents. Insurance companies offering motor carrier insurance certificates, cancellation notices, or other documents for filing with the division pursuant to this rule, shall deliver the documents to the Missouri Department of Transportation, Motor Carrier Services Division, 1320 Creek Trail Drive, PO Box 893, Jefferson City, MO 65102 by any of the following methods: personal delivery, U.S. mail, express courier delivery, FAX, electronic mail (E-mail), or other approved electronic media. A person or company that offers photocopies, FAX copies, or electronic documents for filing shall be bound by them as if they were signed originals. All documents offered for filing shall comply with the applicable requirements and be properly signed or otherwise authenticated in accordance with this rule.

(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. 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;

6. 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;

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

8. Permits voided by a violation shall be surrendered to any law enforcement officer or to any employee of the Missouri Department of Transportation and permits so surrendered shall be returned to the Missouri Department of Transportation, Motor Carrier Services Division, 1320 Creek Trail Drive, PO Box 893, Jefferson City, MO 65102;

9. 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;

10. 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; and

11. 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.

12. 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) All overdimension and overweight applications should be completed and fees filed at least two (2) days prior to the date of movement, except permits covered by sections (15) and (16) should allow two (2) weeks advance notice. This will allow sufficient time for any investigations, studies or analysis necessary for the issuance of the official permit.

(B) Applications for permits are accepted in person, by mail, by telephone, and by computer inquiry.

(C) Applications may be reproduced or copies will be furnished upon request. Each application shall show all information requested in regard to the applicant, load description (including make, model, serial number and dimensions) and vehicle description (including vehicle combination, year, make, vehicle identification number, insurance and license). The type of power unit (truck or tractor) and trailer (semi or other configuration) shall also be required.

(D) Application for an overdimension permit must show overall width, length, length of trailer and load, overhang front and/or rear, empty deck space front and/or rear, 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.

(E) 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. Postal and telegraphic money orders, personal, company, certified and cashier's checks, credit cards and electronic funds shall be made payable to the "Director of Revenue, Credit State Road Fund." Cash is also accepted. The special permit fees are as follows:

1. Single trip overdimension permits including pre-issue—\$15;

2. Single trip overdimension 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 overdimension 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));

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

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

8. Annual blanket overdimension 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. Thirty-day blanket permit—\$30;

11. Project permit—\$125;

12. Highway crossing permit—\$250;

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

14. Permit amendment fee—\$2. Single trip permits may only be amended within two



(2) days of permit issuance. Annual blanket permits may be amended throughout the year.

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

(G) Permits may be applied for and picked up at the locations listed in subsection (4)(H) during regular business hours of 7:30 a.m. to 4:00 p.m. Monday through Friday except holidays listed in paragraph (1)(I)1. Telephone applications are accepted from 7:30 a.m. until 3:45 p.m. at (800) 877-8499 or (573) 751-7100 Monday through Friday except holidays listed in section (1). Internet access is also available twenty-four (24) hours a day, seven (7) days a week.

(H) Office locations for Missouri Department of Transportation—

1. Motor Carrier Services Division, 1320 Creek Trail Drive, PO Box 893, Jefferson City, MO 65102, (800) 877-8499 or (573) 751-7100;

2. St. Joseph—District 1—3602 North Belt Highway, Box 287, St. Joseph, MO 64502, (816) 387-2350;

3. Macon—District 2—U.S. Route 63, PO Box 8, Macon, MO 63552, (660) 385-3176;

4. Hannibal—District 3—Highway 61 South, PO Box 1067, Hannibal, MO 63401, (573) 248-2490;

5. Lee's Summit—District 4—600 NE Colbern Road, Lee's Summit, MO 64086, (816) 622-6500;

6. Chesterfield—District 6—14301 S. Outer 40, Chesterfield, MO 63017-5712, (314) 340-4100;

7. Joplin—District 7—3901 East 32nd Street, PO Box 1445, Joplin, MO 64802, (417) 629-3300;

8. Springfield—District 8—3025 E. Kearney, PO Box 868, Springfield, MO 65801, (417) 895-7600;

9. Willow Springs—District 9—910 Springfield Road, PO Box 220, Willow Springs, MO 65793, (417) 469-3134; and

10. Sikeston—District 10—2675 North Main Street, PO Box 160, Sikeston, MO 63801, (573) 472-5333.

(I) All permits may be transmitted by facsimile machine, Internet or electronic mail from the Motor Carrier Services Division located in Jefferson City only. Division facsimile transmission costs and telephone costs are included in the permit fee (see subsection (4)(E)). The following requirements and procedures apply:

1. For facsimile receiving, the equipment must be fully automatic which may require a dedicated telephone line with unattended operation capabilities; and

2. 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 (6)), or by payment of the fee at the time of application. Permits can only be amended by Motor Carrier Services Division's staff, as outlined under the circumstances in paragraph (4)(E)14.

(5) Pre-Issued Permits.

(A) Pre-issued permits may be requested for the purpose of transporting loads that are overdimension only with a maximum width of twelve feet four inches (12'4"). Travel under pre-issued permits must be completed in seven (7) days. To obtain pre-issued permits, contact the Missouri Department of Transportation, Motor Carrier Services Division, 1320 Creek Trail Drive, PO Box 893, Jefferson City, MO 65102, for an application.

(B) The applicant's name and complete address will be preprinted on each pre-issued form.

(C) To place a pre-issued permit form into effect, the applicant shall contact the Missouri Department of Transportation, Motor Carrier Services Division, 1320 Creek Trail Drive, PO Box 893, Jefferson City, MO 65102, at the number listed on the form and provide the required information to complete the form. Upon approval, the applicant shall complete the form in a legible manner. Movement may then be made under provisions of the permit and all other applicable permit regulations. Changes or eraser marks void the permit.

(D) Upon completion of a move, the original pre-issued permit shall be mailed no later than eight (8) hours after the move to the Missouri Department of Transportation, Motor Carrier Services Division, 1320 Creek Trail Drive, PO Box 893, Jefferson City, MO 65102. Should the permit not be used, it is to be mailed to the same office no later than eight (8) hours after its assigned expiration date.

(E) Violation of or abuse of the privilege for obtaining pre-issued permits may result in immediate termination of such privilege and require relinquishment of all unused blank permit forms. No refunds will be made for any permit voided by the termination of pre-issued permit privileges.

(F) Pre-issued permit forms are nontransferable, and cannot be reproduced. No refunds will be made for pre-issued forms voided, canceled, relinquished, stolen or lost. A pre-issued account may be closed by submitting a written request, and returning all unused pre-issued forms to the Missouri Department of Transportation, Motor Carrier Services Division, 1320 Creek Trail Drive, PO Box 893, Jefferson City, MO 65102. A

refund for returned pre-issued forms will be processed.

(6) 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, 1320 Creek Trail Drive, PO Box 893, Jefferson City, MO 65102, or established online;

2. Upon approval of application, the applicant will be assigned an account number that must be given with each transaction. The account holder is responsible for all charges filed against the account;

3. Motor Carrier Services Division in Jefferson City shall provide quarterly statements showing charges, deposits and account balance;

4. The account holder may replenish his/her escrow account at any time via phone, Internet, mail or in person. A minimum deposit of one hundred dollars (\$100) is required to open an account; and

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

(B) It shall be 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.

(7) 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)(E). 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. Annual blanket permits are issued only by the Missouri Department of Transportation, Motor Carrier Services Division, 1320 Creek Trail Drive, PO Box 893, Jefferson City, MO 65102. 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 (150') in overall length. Height and weight shall be legal.

2. Farm implements, farm products (hay), construction equipment. Annual blanket permits are available for these moves up to and including twelve feet four inches (12'4") in width. All other dimensions 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 products (hay) and equipment with dual tires will not be required to comply with the reducible load requirement for width.

3. One hundred (100)-mile radius blanket 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 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.

4. 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.

5. 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 (150'). Height and weight shall be legal. The following items may be considered: 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. 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. Multiple 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 (150') overall length. Height and weight shall be legal. **MULTIPIECE LOADS SHALL BE NONREDUCIBLE AND NON-DIVISIBLE.**

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

1. 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 (150') 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;

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)(G). Equipment classified for use in well-drilling work is a single unit designed primarily to drill wells. The unit shall be reduced in dimension 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 (150') 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 (150') 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 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)(G). 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 overdimension 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, 1320 Creek Trail Drive, PO Box 893, Jefferson City, MO 65102; and

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 (120') in overall length to travel to and from locations within twenty (20) miles of the western border of this state. All other dimensions and weight shall be legal. This permit authorizes travel over specified routes on the state highway system.

(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), (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."

(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 overweight loads (see paragraph (9)(H)3.) shall have a vertical clearance detection device and have continuous, uninterrupted, two-way communication with the power unit. Flags used for flagging and on permit vehicles shall be clean, red 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)(J). Flaggers shall have proper training in directing traffic.

(9) Regulations for All Permits. The following regulations apply to all movements of overdimension and/or overweight loads except as stipulated in sections (7), (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 (7), (11), (12), (13), (14) and (15). No movement is allowed when road conditions are hazardous, such as snow and ice covered or when haz-

ardous 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 paragraph (1)(I)1.;

(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 54—between the junctions with Route V in Miller County and Route Y in Camden County.

B. Route 5—between the junction with Route 54 and the City limits of Gravois Mills.

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

D. 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; and

(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) Maximum speed for all moves shall be ten (10) miles per hour less than the posted speed limit unless otherwise specified on the permit. Movements over routes where minimum speed limits are posted shall operate at least at the minimum speed posted;

(H) 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-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.

(I) 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

(J) 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) published by the Federal Highway Administration (FHWA).

(10) Regulations for Overdimension Permits. In addition to the regulations in sections (7), (9), (13), (14), (15) and (16); the following applies to all overdimension permits:

(A) Red 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. 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."

(B) The following Missouri and Mississippi River bridges may be used for the movement of loads in excess of ten feet six inches (10'6") in width. If the load exceeds one-half (1/2) the width of the roadway on the two (2)-lane bridges, a flagger shall be used to stop all oncoming traffic at the far end of the structure before the vehicle and load can proceed across. No movement will be allowed where flagging is necessary between the hours of 6:30 to 9:00 a.m. and 3:00 to 6:00 p.m.

MISSOURI RIVER BRIDGES

Location	Route	Roadway Width
Brownville, NE	U.S. 136	22'6"
Rulo, NE	U.S. 159	20'0"
St. Joseph	U.S. 36	Dual Bridges
Atchison, KS	U.S. 59	24'0"
Leavenworth, KS	MO 92	26'0"
Waverly	U.S. 24/ U.S. 65	44'0"
Miami	MO 41	23'0"
Boonville	MO 5/ U.S. 40	40'0"
Glasgow	MO 240	20'3"
Rocheport	I-70	Dual Lanes
Jefferson City	U.S. 63/ U.S. 54	Dual Bridges
Washington	MO 47	22'0"
Lexington	MO 13	Dual Lanes

Kansas City Area

Platte County (KCI)	I-435	Dual Bridges
Riverside	I-635	Dual Lanes
Fairfax	U.S. 69	Dual Bridges
Broadway	U.S. 169	Dual Lanes
Heart of America	MO 9	Dual Lanes
Paseo	I-29/I-35	Dual Lanes
Randolph	I-435	Dual Lanes
Liberty (Courtney)	MO 291	Dual Bridges

St. Louis Area

Weldon Springs	40/61 (I-64)	Dual Bridges
Blanchette	I-70	Dual Bridges



St. Charles (Discovery Br)	MO 370	Dual Bridges
St. Charles (West Alton)	U.S. 67	Dual Bridges
Page Avenue	MO 364	Dual Bridges

MISSISSIPPI RIVER BRIDGES

<u>Location</u>	<u>Route</u>	<u>Roadway Width</u>
Hannibal	I-72/U.S. 36	Dual Lanes 20'0"
Louisiana	U.S. 54	20'0"
Quincy, IL	U.S. 24	Dual Bridges
Alton, IL	U.S. 67	Dual Lanes 20'0"
Louisiana	U.S. 54	20'0"
St. Louis City (Chain of Rocks)	I-270	Dual Lanes
St. Louis (Jefferson Barracks)	I-255	Dual Bridges
Chester, IL	MO 51	22'0"
Cape Girardeau	MO 74	Dual Lanes
Cairo, IL	I-57	Dual Lanes
Caruthersville	I-155	Dual Lanes

No permit movement on the following Mississippi River Bridges:

<u>Location</u>	<u>Route</u>
St. Louis City (Poplar Street)	I-70/I-55/I-64
St. Louis City (MLK)	MO 799
Cairo, IL	U.S. 60/U.S. 62

No permit movement exceeding 10'6" in width on the following Missouri River Bridge:

<u>Location</u>	<u>Route</u>
Hermann	MO 19

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

(D) 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.

(E) 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)).

(F) 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 overdimension 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.

(G) 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 highways. A rear escort is required on interstate and other dual lane divided 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-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 overdimensional 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 subsection (1)(I) 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 or tandem 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 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 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, the distance between each of the four (4) axles is evenly spaced 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;



B. All equalization is accomplished with automatic valves; and

C. Axle lifting mechanism is located outside the cab, not readily accessible to driver; and

8. The term “booster axle” shall mean an extension of a hauling unit which when attached to the trailer adds a single axle, or tandem 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 ninety-two thousand (92,000) pounds.

6-Axle Configurations

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

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

Minimum distance between the centers of the first and last axle is forty-three feet (43').

Maximum gross weight allowed on a 6-axle configuration is one hundred twelve thousand pounds (112,000).

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 twelve thousand (112,000) pounds for the alternative configuration and one hundred thirty-two thousand (132,000) pounds for all other configurations.

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 thirty-two thousand (132,000) pounds for the routine configuration and one hundred fifty-two thousand (152,000) 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-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 seventy-five feet (75') for all configurations. The following axle group spacing limitation will apply to all of the configurations as shown above except for the alternative 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, 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.

Maximum gross weight allowed on a 9-axle configuration is one hundred thirty-two thousand (132,000) 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)

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.

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)

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.

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)

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.

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 thousand (40,000) pounds, but not more than twenty-one thousand (21,000) pounds for any one (1) 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 one (1) axle of a multi-axle group;

4. Quadrum axle group—sixty thousand (60,000) pounds, but not more than sixteen thousand (16,000) pounds for any one (1) axle of a quadrum axle group; and

(E) Prior to issuing an overweight permit, the equalization system of the axle groups on the power unit and the trailer must be accepted by the Missouri Department of Trans-

portation, Motor Carrier Services Division, 1320 Creek Trail Drive, PO Box 893, Jefferson City, MO 65102. Detailed schematic drawings may be requested. It shall be the responsibility of the applicant to contact the Motor Carrier Services Division for approval or disapproval;

(F) 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)(C); and

(G) The maximum allowable gross weight in pounds 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 disasters may create the necessity for an emergency movement by overdimension/overweight vehicles.

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

(C) 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 vehicles shall use clearance lights in lieu of flags and reflectorized oversize load signs 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 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 overdimension 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.

(L) Blanket permits for emergency movements, if authorized, in lieu of verbal procedure, require special procedures in addition to those previously mentioned (see section (7)).

1. Such blanket permits will be valid only for the initial response to an emergency and the return trip from that emergency. Movement for purposes other than to or from an emergency response will require a single trip permit be obtained during regular working hours and must comply with the permit regulations' limitations for weight and dimensions.

(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 overdimension 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 overdimension 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 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 overdimension 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-way communication is required between the power unit and all escort vehicles.

(C) All permits will be one (1)-way single trip.

(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 overdimension 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-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 overdimension vehicles is required; escorts may act as flaggers.

(D) All permits will be one (1)-way single trip.

(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 overdimension 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 in writing to the Missouri Department of Transportation, Motor Carrier Services Division, 1320 Creek Trail Drive, PO Box 893, Jefferson City, MO 65102. Proof of insurance and valid vehicle registration may also be required. An application for this type of move is 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 five inches (17'5"), the applicant shall provide a written document from the appropriate utility company indicating approval to disturb aerial lines across the route.

(D) 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.

(E) 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 if the load is not required to cross bridge structures at crawl speed and/or the load does not require Missouri State Highway Patrol escorts, except 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 deter-

mined by the Missouri State Highway Patrol if the load requires their escort services.

(F) 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)(I), 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, except;

2. 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;

3. 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. In addition to the civilian escorts required above;

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

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

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

C. One hundred fifty feet (150') overall length.

(G) All future permitting authority for a carrier may be revoked if the Missouri State Highway Patrol is not reimbursed for superload escorting services.

(H) Generally the maximum weight allowed on any single axle will 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.

(I) 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.

(J) For the purpose of moves under section (15), the applicant 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 insurance satisfactory to the Motor Carrier Services Division before a permit will be issued; and

(K) Approved applications will require full payment to the "Director of Revenue, Credit State Road Fund," by check or other suitable means of payment. The draft shall include payment of the permit fee and all evaluation fees. Roadway structures on the proposed route will be analyzed by the Missouri Department of Transportation to determine whether the move can be safely made. (See paragraph (4)(E)5. for fee schedule.)

(16) Noncommercial Building (House) Movement.

(A) Permits are available for the movement of noncommercial buildings that exceed the established overdimension and overweight permit limits listed in these regulations. These permits are available from district offices listed in subsection (4)(H). These rules and regulations are not intended for the movement of commercial buildings or repeated movements of similar buildings.

1. Movement of a building that will not allow one-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.

2. Movement of a building greater than sixteen feet (16') in overall width that will allow one-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.

3. 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)(E). 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 section (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 and the insurance shall include the following under Description of Operation: "STRUCTURAL MOVING OPERATIONS OF THE NAMED INSURED INCLUDED IN THIS COVERAGE."

(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 paragraph (9)(H)4. and subsection

(9)(I), 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 six-teen feet (16') wide;

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

(17) Multi-State Permits.

(A) The Missouri Department of Transportation is authorized to participate in the Multi-State Permit Program. This program provides a single, routine, uniform mechanism for processing single-trip permits for oversize and overweight vehicle combinations at the option of the department. Such a permit allows a motor carrier to travel through several states with one (1) point of contact and one (1) permit document.

(B) The same rules, regulations and fees apply to Multi-State Permits as any other single trip permit except the permit will be valid for a period of ten (10) calendar days. Also, these permits can only be obtained to transport loads within current envelope dimensions and weights.

(18) Permit and application forms are available from the Missouri Department of Transportation, Motor Carrier Services Division, 1320 Creek Trail Drive, PO Box 893, Jefferson City, MO 65102 or call (800) 877-8499 or (573) 751-7100.

AUTHORITY: section 304.200, RSMo Supp. 2004. This rule was previously filed as 7 CSR 10-2.010. Original rule filed July 12, 2005, effective Feb. 28, 2006.

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) Qualified vehicle means any power unit that is used or intended for use in two (2) or more member jurisdictions and that is used for the transportation of persons for hire or designed, used, or maintained primarily for the transportation of property and:

1. Has two (2) axles and a gross vehicle weight or registered gross vehicle weight in excess of twenty-six thousand (26,000) pounds (11,793.401 kilograms); or

2. Has three (3) or more axles, regardless of weight; or

3. Is used in combination, when the gross vehicle weight of such combination exceeds twenty-six thousand (26,000) pounds (11,793.401 kilograms).

A recreational vehicle, a vehicle displaying restricted plates, a bus used in the transportation of chartered parties, a government-owned vehicle, or a truck or truck tractor, or the power unit in a combination of vehicles having a gross vehicle weight of twenty-six thousand (26,000) pounds (11,793.401 kilograms), or less, are not apportionable, but may be registered under the IRP at the option of the registrant.

(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 Missouri Highways and Transportation Commission (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 IRP which is incorporated herein by reference and made a part of this rule as published by the International Registration Plan, Inc., 4301 Wilson Blvd., Ste. 400, Arlington, VA 22203, effective July 1, 2008. This rule does not incorporate any subsequent amendments or additions of this manual.

(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) Missouri law forbids the granting of an exemption by the commission from any or all registration fees to any qualified vehicle owners or operators duly licensed in another jurisdiction where substantially equivalent exemptions are not extended by that jurisdiction to vehicles which are duly licensed in Missouri.

(6) 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.

(7) 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.

(8) 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.

(9) Plates. Qualified vehicles (power units) and trailer plates shall be issued pursuant to section 301.041, RSMo, and displayed pursuant to section 301.130, RSMo. The transfer and refund of plates shall be governed by sections 301.067, 301.121, 301.130, and 301.442, RSMo. The registrant may also obtain one (1) year, three (3) year, or permanent trailer plates through the Department of Revenue.

(10) 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 provides 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) Add jurisdiction—the addition of a member jurisdiction to a registered fleet due to expanding operations or a member jurisdiction was not included during initial registration or renewal. All active qualified vehicles will be assessed fees calculated from the date of request to the end of the current registration year. New cab cards will be issued upon payment. At no time will the director remove member jurisdictions from a fleet registration during the current registration year, unless discovery of an error by the director is made upon re-audit of an application;

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

(F) Fleet to fleet transfer—the movement of a vehicle with plate from one 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;

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

(H) 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;

(I) 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;

(J) 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;

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

(L) 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.

(11) Temporary vehicle registration (TVR) will be issued for forty-five (45) days for Missouri-based licensed vehicles upon establishing an account with the commission in lieu of apportioned registration and licenses so that a vehicle may immediately operate upon the highways of Missouri unless the commission has cause to believe that the applicant will not forward immediately the fees and documentation due the state of Missouri. A Missouri-based licensed vehicle may have one (1) fifteen (15)-day TVR extension, but only after all fees and required documents have been submitted. 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. If the commission determines that payment and documentation is not received prior to the expiration of the forty-five (45)-day TVR or the privilege of a TVR is being abused, the commission shall suspend the privileges of receiving TVRs and/or additional credentials for that registrant's fleets for the duration of the suspension period. Prior to the issuance of any suspension of TVRs and credentials, the commission shall notify the registrant in writing that payment and/or documentation has not been received or the TVR privilege is being abused and provide information regarding action the registrant must take to become compliant. Upon the registrant taking the action set forth in the commission's notice, the suspension shall be terminated. If the suspension is 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 does not hinder a registrant's ability to register other vehicles. Revocation of privileges will be reviewed not later than one (1) year after revocation implementation at which time if all delinquent fees are paid, then a reinstatement order will be issued.

(C) 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.

(12) 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.

(13) 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.

(14) The commission shall require the following 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, Motor Carrier Services Division, 1320 Creek Trail Drive, Jefferson City, MO 65109, 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/forms_manuals.htm.

(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.

(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.

(15) 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.

(16) 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, 226.130 and 301.275, RSMo 2000 and 226.008, RSMo Supp. 2007. 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.*

**Original authority: 142.617, RSMo 1988, amended 1998; 226.008, RSMo 2002, amended 1993, 2002; 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 tempo-

rary 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 January 2007. This rule does not incorporate any subsequent amendments or additions of this manual;

(B) "Bulk storage" means when a licensee maintains tax paid fuel in a bulk storage tank that will be redistributed into qualified vehicles as needed. A licensee may claim the gallons as a tax paid purchase, on the IFTA return, as it is placed into the tanks of qualified vehicles but not before;

(C) "Cash bond" means a guaranteed payment 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 considered taxable miles in any jurisdiction. These miles would be included in total miles traveled but not in total taxable miles;

(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) "Non-IFTA miles" means miles traveled in jurisdictions that are not members of IFTA. These miles must be included on the IFTA quarterly return in order to determine the correct miles per gallon;

(J) "Nontaxable fuel" means fuel purchased from a non-IFTA jurisdiction or used to operate unlicensed equipment that is drawn from a supply tank of a motor vehicle;

(K) "Nontaxable mileage" means miles traveled that are not subject to motor fuel taxes;

(L) "Off highway/road miles" means any miles not driven on a public highway. These miles are not taxable in Missouri but may be in some IFTA member jurisdictions;

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

(N) "Power Take Off (PTO) Equipment" means vehicle-mounted equipment that 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, 226.130 and 301.275, RSMo 2000 and 226.008, RSMo Supp. 2007. 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.*

**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 10-25.071 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) Quarterly returns are provided to the licensee at no charge at least thirty (30) days prior to the due date. Failure to receive the authorized return form does not relieve the licensee of the obligation to file the required return.

(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, 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) Gallons of fuel consumed during idle time are taxable and must be reported on the IFTA quarterly return.

(9) Fuel used in a tank separate from the tank that propels the power unit is defined as reefer fuel. This fuel is not subject to tax and should not be included on the IFTA quarterly return. Refunds may be obtained by contacting the Missouri Department of Revenue, Taxation Bureau.

(10) 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.

(11) Quarterly returns, after calculating all taxes owed to jurisdictions operated in during the quarter by the licensee, that results 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.

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

(13) 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. A return shall contain total miles traveled in all jurisdictions, total fuel consumed in all jurisdictions, total miles, total taxable miles, and tax paid gallons to be processed.

(14) 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 one (1) time only over a period of three (3) calendar years or for other circumstances which the director or his/her designee deems appropriate.



(15) A licensee who fails to pay taxes due shall be assessed interest at the rate of twelve percent (12%) per annum as 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.

(16) 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 nonfiling 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.

(17) 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.

(18) 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.

(19) 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, 226.130 and 301.275, RSMo 2000 and 226.008, RSMo Supp. 2007. 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.*

**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 10-25.073 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., 4301 Wilson Blvd., Ste. 400, Arlington, VA 22203, effective July 1, 2008; 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 January 2007; 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 226.130 and 301.275, RSMo 2000 and 226.008, RSMo Supp. 2007. 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.*

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

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.*