
**Rules of
Department of Revenue
Division 20—Highway Reciprocity Commission
Chapter 4—Multistate Agreement**

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Title 12—DEPARTMENT OF REVENUE

Division 20—Highway Reciprocity Commission

Chapter 4—Multistate Agreement

12 CSR 20-4.010 Bilateral Basing Point—Multistate Agreement

PURPOSE: The Highway Reciprocity Commission has the authority to negotiate and to enter reciprocal agreements with other states for interstate commercial use of the highways. This rule explains the requirements for reciprocity when no fees are apportioned.

(1) Under section 301.277(3), RSMo the Highway Reciprocity Commission has entered into a reciprocal agreement called the Multistate Reciprocal Agreement Governing the Operation of Interstate Vehicles. Missouri also has entered into various bilateral basing point agreements, which will be furnished upon request from the Missouri Highway Reciprocity Commission.

(2) Place of business shall mean the place or location in a jurisdiction where the operating carrier or person operating the vehicle has a terminal, warehouse, office, garage or some permanent *bona fide* address at which an employee reports and performs regular and continuing service for the operating carrier or person, except that a place of business of a household goods carrier shall mean the place or location in a jurisdiction where the household goods carrier or an agent of the carrier has a terminal, warehouse, office, garage or some permanent *bona fide* address, in which an employee reports and performs regular and continuing service for the household goods carrier or for the agent of the household goods carrier.

(3) The term base shall mean the place where the vehicle is most frequently dispatched, garaged, serviced, maintained, operated or otherwise controlled; or, in the case of a vehicle the jurisdiction to which it is allocated for registration under statutory requirements. The owner of the vehicle or the carrier operating the vehicle shall designate the jurisdiction in which s/he considers the vehicle based, but the carrier must have a place of business at the location and must use the vehicle in connection with the place of business.

(4) Properly registered or licensed shall mean—

(A) The jurisdiction where the person registering the vehicle has had legal residence;

(B) In the case of a commercial vehicle including a leased vehicle, the jurisdiction in which it is registered, if the commercial enterprise in which the vehicle is used has a place of business in it, and if the vehicle is most frequently dispatched, garaged, serviced, maintained, operated or otherwise controlled in or from the place of business, and the owner and/or lessee has assigned the vehicle to the place of business;

(C) In the case of a commercial vehicle, including leased vehicles, the jurisdiction where, because of a declared and published agreement or arrangement between two (2) or more jurisdictions, or pursuant to a declaration, the vehicle has been registered as required by the jurisdiction; or

(D) In order that this section may not be used for the purpose of evasion of registration fees, the administrator of the contracting jurisdiction may make the final determination as to which jurisdiction the vehicle and/or vehicles shall be registered and/or licensed to prevent or avoid evasion; provided, however, this shall not relieve the operating carrier or person of the obligation to properly license or register the vehicle in the jurisdiction of its base.

(5) Vehicles operating on the highways of Missouri without being required to pay Missouri motor vehicle registration fees on the basis of reciprocal privileges granted under this agreement are limited to operations and movements as are exclusively interstate in character. Vehicles operating or moving 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.

(6) The laws of Missouri forbid the granting of an exemption by the Missouri Highway Reciprocity Commission from any registration fees to any motor vehicle owners/operators duly licensed in another jurisdiction where substantially equivalent exemptions are not extended by that state to vehicles which are duly licensed in this state.

(7) The Missouri Highway Reciprocity Commission may require operators seeking basing point reciprocity to submit an affidavit containing pertinent information concerning the base of the vehicle and the place(s) of business of the operator in and out of Missouri. Operators who refuse to file affidavits of base and place of business may be refused reciprocity. Operators who file false affidavits concerning bases and places of businesses may be refused reciprocity by Missouri upon discovery of the false affidavit until the time as proper

registration and fees are paid to the appropriate state.

(8) Properly based and licensed vehicles may be leased to any basing point carrier provided the vehicle is operated in conjunction with a *bona fide* place of business of the lessee in the state in which the vehicle is registered.

(9) 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 commercial motor vehicle within Missouri solely in intrastate commerce, but all vehicles so engaged must be duly registered and licensed in Missouri.

(10) Does Not Cover Division of Transportation Fees. Nothing in this rule shall be interpreted to govern any provision or agreements as to reciprocity concerning the Division of Transportation's charges and fees. All questions concerning the fees and charges of the Division of Transportation are to be determined exclusively by the reciprocal agreements entered into by the Missouri Division of Transportation, Department of Economic Development.

(11) Nothing in this rule shall be interpreted to govern any provisions or agreements as to motor fuel taxes, except for motor fuel taxes assessed or collected pursuant to the International Fuel Tax Agreement. All questions concerning the fees and charges relating to motor fuel taxes, other than motor fuel taxes pursuant to the International Fuel Tax Agreement, are to be determined by the Department of Revenue, Tax Administration Bureau, Special Fuel Tax Section.

Auth: sections 142.621 and 301.275, RSMo (1986) and 142.617, RSMo (Cum. Supp. 1990). 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.