



2/28/69

Opinion No. 113-69  
Answered by Letter

Honorable Arlie H. Meyer  
State Representative  
District No. 105  
House of Representatives  
Jefferson City, Missouri 65101

Dear Representative Meyer:

This is answer to your letter dated January 22, 1969, in which you requested an official opinion from this office. The opinion is directed to the specific question you asked, to wit:

"Do the provisions of the Motor Vehicle Safety Inspection Law require that a Mobile Home, as hereinafter described, be inspected and an official certificate of inspection and approval obtained as a condition to registration thereof under the Motor Vehicle Registration Laws of this state?"

The types of vehicles subject to the Motor Vehicle Safety Inspection Law are particularized in Section 304.700, RSMo Cum. Supp. 1967, in pertinent part as follows:

"All owners of motor vehicles and trailers are defined in section 301.010, RSMo which are required to be registered in this state, except trailers registered for a gross weight of three thousand pounds or less, and also except historic motor vehicles registered under section 301.131, RSMo must submit their motor vehicles and trailers to an annual inspection of their mechanisms and equipment in accordance with the provisions of sections 304.700 to 304.780 and obtain a certificate of inspection and a duplicate thereof from a duly authorized official inspection station."  
(Emphasis added)

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Thus, it can be seen that motor vehicles and trailers which are required to be registered must submit to an annual inspection. The amplification of what type of vehicles must be registered in Missouri is to be found by referring to Section 301.020, RSMo 1959:

"Every owner of a motor vehicle or trailer, which shall be operated or driven upon the highways of this state, except as herein otherwise expressly provided, shall file by mail or otherwise, in the office of the director of revenue, an application for registration on a blank to be furnished by the director of revenue for that purpose . . . ." (Emphasis added)

This section, then, holds that motor vehicles or trailers of more than three thousand pounds that are to operated or driven on Missouri highways must be registered; and thus as your letter indicates, a determination of whether a mobile home falls within the definition of the statutory term "trailer" must be made.

Section 301.010(27) RSMo 1959, defines trailer as follows:

"Trailer, any vehicle without motive power designed for carrying property or passengers on its own structure and for being drawn by a self-propelled vehicle, except those running exclusively on tracks, including a semi-trailer or vehicle of the trailer type so designed and used in conjunction with a self-propelled vehicle that a considerable part of its own weight rests upon and is carried by the towing vehicle;"

While "mobile home" per se is not referred to in the section, an opinion of this office has held (Opinion No. 211, Waggoner, 9/5/63, a copy of which is enclosed) that a mobile home or house trailer falls within the statutory definition of "trailer".

From the foregoing authority then, it can be seen that a mobile home must be registered before it may operate on the highways of Missouri.

As a prerequisite to registration of a "trailer", Section 304.710, RSMo Cum. Supp. 1967, in pertinent part states the following:

"No state registration license to operate in this state any motor vehicle or trailer

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as defined in section 301.010, RSMo, except trailers registered for a gross weight of three thousand pounds or less and historic motor vehicles registered under the provisions of Section 301.131, RSMo, may be issued unless the application for license is accompanied by the duplicate of a certificate of inspection and approval issued not more than thirty days prior to the date of the application, or, in the case of school buses, the duplicate of a certificate of inspection and approval issued at the time provided in section 304.750 next preceding the date of application \* \* \*  
(Emphasis added)

This section affirmatively states that a duplicate of a certificate of inspection must be presented before a registration license to operate may be issued. This requirement then compels that a mobile home have an official certificate of inspection before it may be registered to operate on the highways of Missouri.

The provisions of the Motor Vehicle Safety Inspection Law require that a mobile home of more than three thousand pounds be inspected and an official certificate of inspection and approval obtained as a condition to registration thereof under the Motor Vehicle Registration Laws of this state.

Yours very truly,

JOHN C. DANFORTH  
Attorney General

Enc. Opinion No. 211  
Waggoner, 9/5/63