

September 5, 1969

Answered by Letter - Mansur  
OPINION LETTER NO. 152

Honorable Dennis C. Brewer  
Prosecuting Attorney  
County of Perry  
Perryville, Missouri 63775

Dear Mr. Brewer:

This is in response to your letter as follows:

"We have had some difficulty in Perry County in determining what the present rule is regarding whether a farm wagon is to be registered as a motor vehicle trailer. According to Attorney General Rule No. 96 given January 21, 1955 farm wagons drawn by farm tractors on public highways, are not required to be registered as either motor vehicles or or motor vehicle trailer. However, Rule No. 48 given December 9, 1957 says that farm trailers used exclusively in hauling farm products and other property between farm and town on public highways are not exempt from the requirements of Chapter 301 and are required to register and display a license plate thereon. I have not been able to determine where the difference lies between farm wagons and trailers since both may be of approximately the same size and carry the same load. There is

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also the question whether farm wagons need to be licensed if they are to pull loads behind pick-up trucks. The second major problem then is if the farm wagons are required to be licensed what requirements are to be enforced regarding the inspection laws especially tail lights and turn signals. Most farm tractors and trailers or farm wagons do not have facilities for hooking up any form of flashing light or electrical light on the back end of the wagon or trailer."

We enclose, herewith, a copy of Opinion No. 96 issued by this office on January 21, 1955. In this opinion, we held that a farm wagon drawn by a farm truck on a public highway is not required to be registered or licensed as a "motor vehicle" or "motor vehicle trailer".

We are enclosing, herewith, a copy of Opinion No. 48 issued by this office on December 9, 1957. In this opinion, it was held that a trailer pulled by a farm tractor on a public highway is required to be registered and licensed as such. It also stated that a farm wagon pulled by a farm tractor is not required to be registered or licensed.

In each of the above opinions, reference was made to an opinion issued to Max B. Benne, Prosecuting Attorney, Atchinson County, Missouri, dated April 20, 1954, a copy of which we enclose herewith. In this opinion, it was held that a metal or rubber tired farm wagon drawn on highways by farm tractors is not required to be registered and licensed because it was not designed primarily for use upon the highways.

We believe if you study these opinions, you will find the distinction made between a trailer and a farm wagon and the reasons why a farm wagon does not have to be registered and licensed.

The fact that a farm wagon is pulled by a farm tractor does not exempt it from displaying lights when traveling on a public highway. Section 304.460 RSMo 1959 requires all vehicles including agricultural machinery or implements to exhibit lights during the period lights are required.

Yours very truly,

JOHN C. DANFORTH  
Attorney General

Enclosures: Op. No. 96, 1-21-55  
Whitlow  
Op. No. 48, 12-9-57, Keller  
Op. No. 7, 4-20-54, Benne