

Answer by letter-Romines

July 31, 1970

OPINION LETTER NO. 405

Honorable Hardin C. Cox  
State Representative  
District No. 78  
605 Buff Street  
Rock Port, Missouri 64482



Dear Representative Cox:

This is in reply to your request for an opinion of this office in which you ask:

"I would like an opinion on whether or not a farm truck or pickup is required by law to have his name on the truck if he is not a commercial operator.

\* \* \*

". . . if he is required to are there any specifications as to position on the truck and size of the lettering."

Section 301.330, RSMo 1969, reads as follows:

"All commercial motor vehicles shall display in a conspicuous place:

"(1) The name of the owner;

"(2) The address from which such motor vehicle is operated or the number issued to a motor carrier by the public service commission;

"(3) The gross weight for which said vehicle is licensed;

Honorable Hardin C. Cox

"(4) Local commercial vehicle in addition shall display in a conspicuous place the word 'local'."

In construing the term "commercial vehicle" the Springfield Court of Appeals in State v. Lasswell (Mo.App.) 311 S.W.2d 356, found a half-ton pickup truck commonly used by farmers, to be within the contemplation of the definition of commercial motor vehicle.

This office has by Opinion No. 62, Mills, 8-24-44, held that a farmer operating a commercial motor vehicle must display his name and address and gross weight on the vehicle, and a designation as to whether it is local.

You further inquire as to whether there are any specifications in the law as to the position on the truck which a person's name must be placed and any requirement as to the size of the lettering required. By reference to Section 301.330, RSMo 1969, it may be seen that that section requires, (1) that the name of the owner, (2) the address from which the motor vehicle is operated or the number issued to it as a motor carrier by the Public Service Commission, (3) the gross weight for which said vehicle is licensed, (4) and whether the vehicle is a local vehicle, must be displayed in a conspicuous place on all commercial motor vehicles. As can be seen, however, no specific position on the commercial motor vehicle, is set out as appropriate for the displaying of the information required by Section 301.330. Likewise, neither is there a specification as to the size of the lettering that is required for the setting out of the information required by Section 301.330, supra. It would appear that the legislative intent is that if the information required by Section 301.330, supra, appears on a commercial motor vehicle in a place easily viewable by a peace officer it is conspicuously displayed and as such meets the requirements of Section 301.330.

The owner of a farm truck or pickup which is designed or regularly used to carry freight or more than eight persons is required by law to have his name displayed on his truck in a conspicuous place. It is the further conclusion of this office that the owner of a farm truck or pickup is not required to display the information required by Section 301.330, RSMo 1969, in any particular position on his truck, nor does the law designate a specific size of lettering for the information required by Section 301.330, supra.

Yours very truly,

JOHN C. DANFORTH  
Attorney General

Enclosure: Op. No. 62  
8-24-44, Mills