

House _____ Amendment NO. _____

Offered By

1 AMEND House Committee Substitute for Senate Bill No. 43, Page 1, Section A, Line 10, by
2 inserting after said line the following:

3
4 "174.700. The board of regents or board of governors of any state college or university may
5 appoint and employ as many college or university police officers as it may deem necessary to
6 enforce regulations established under section 174.709 and general motor vehicle laws of this state in
7 accordance with section 174.712, protect persons, property, and to preserve peace and good order
8 only in the public buildings, properties, grounds, and other facilities and locations over which it has
9 charge or control and to respond to emergencies or natural disasters outside of the boundaries of
10 university property and provide services if requested by the law enforcement agency with
11 jurisdiction.

12 174.703. 1. The college or university police officers, before they enter upon their duties,
13 shall take and subscribe an oath of office before some officer authorized to administer oaths, to
14 faithfully and impartially discharge the duties thereof, which oath shall be filed in the office of the
15 board, and the secretary of the board shall give each college police officer so appointed and qualified
16 a certificate of appointment, under the seal of the board, which certificate shall empower him or her
17 with the same authority to maintain order, preserve peace and make arrests as is now held by peace
18 officers.

19 2. The college or university police officers shall have the authority to enforce the regulations
20 established in section 174.709 and general motor vehicle laws in accordance with section 174.712 on
21 the campus as prescribed in chapter 304. The college or university police officer may in addition
22 expel from the public buildings, campuses, and grounds, persons violating the rules and regulations
23 that may be prescribed by the board or others under the authority of the board.

24 3. Such officer or employee of the state college or university as may be designated by the
25 board shall have immediate charge, control and supervision of police officers appointed by authority
26 of this section. Such college or university police officers shall have satisfactorily completed before
27 appointment a training course for police officers as prescribed by chapter 590 for state peace officers
28 or, by virtue of previous experience or training, have met the requirements of chapter 590, and have
29 been certified under that chapter.

30 174.706. Nothing in sections 174.700 to 174.706 shall be construed as denying the board the
31 right to appoint guards or watchmen who shall not be given the authority and powers authorized by
32 sections 174.700 to [174.706] 174.712.

33 174.709. 1. For the purpose of promoting public safety, health, and general welfare and to
34 protect life and property, the board of regents or board of governors of any state college or university
35 may establish regulations to control vehicular traffic, including speed regulations, on any
36 thoroughfare owned or maintained by the state college or university and located within any of its
37 campuses. Such regulations shall be consistent with the provisions of the general motor vehicle laws

Action Taken _____ Date _____

1 of this state. Upon adoption of such regulations, the state college or university shall have the
2 authority to place official traffic control signals, as defined in section 300.010, on campus property.

3 2. The regulations established by the board of regents or board of governors of any state
4 college or university under subsection 1 of this section shall be codified, printed, and distributed for
5 public use. Adequate signs displaying the speed limit shall be posted along such thoroughfares.

6 3. Violations of any regulation established under this section shall have the same effect as a
7 violation of municipal ordinances adopted under section 304.120, with penalty provisions as
8 provided in section 304.570. Points assessed against any person under section 302.302, for a
9 violation of this section shall be the same as provided for a violation of a county or municipal
10 ordinance.

11 4. The provisions of this section shall apply only to moving violations.

12 174.712. All motor vehicles operated upon any thoroughfare owned or maintained by the
13 state college or university and located within any of its campuses shall be subject to the provisions of
14 the general motor vehicle laws of this state, including chapters 301, 302, 303, 304, 307, and 577.
15 Violations shall have the same effect as though such had occurred on public roads, streets, or
16 highways of this state.

17 301.301. [1. Any person replacing a stolen license plate tab issued on or after January 1,
18 2009, may receive at no cost up to two sets of two license plate tabs per year when the application for
19 the replacement tab is accompanied with a police report that is corresponding with the stolen license
20 plate tab.

21 2.] Any person replacing a stolen license plate tab [issued prior to January 1, 2009,] may
22 receive at no cost up to two sets of two license plate tabs per year when the application for the
23 replacement tab is accompanied with a notarized affidavit verifying that such license plate tab or tabs
24 were stolen.

25 301.449. 1. Only a community college or four-year public or private institution of higher
26 education, or a foundation or organization representing the college or institution, located in the state
27 of Missouri may itself authorize or may by the director of revenue be authorized to use the school's
28 official emblem to be affixed on multiyear personalized license plates as provided in this section.

29 2. Any contribution to such institution derived from this section, except reasonable
30 administrative costs, shall be used for scholarship endowment or other academically related
31 purposes. Any vehicle owner may annually apply to the institution for the use of the emblem. Upon
32 annual application and payment of an emblem-use contribution to the institution, which shall be set
33 by the governing body of the institution at an amount of at least twenty-five dollars, the institution
34 shall issue to the vehicle owner, without further charge, an "emblem-use authorization statement",
35 which shall be presented by the vehicle owner to the department of revenue at the time of
36 registration. Upon presentation of the annual statement and payment of the fee required for
37 personalized license plates in section 301.144, and other fees and documents which may be required
38 by law, the department of revenue shall issue a personalized license plate, which shall bear the seal,
39 emblem or logo of the institution, to the vehicle owner.

40 3. The license plate authorized by this section shall use the school colors of the institution,
41 and those colors shall be constructed upon the license plate using a process to ensure that the school
42 emblem shall be displayed upon the license plate in the clearest and most attractive manner possible.
43 Such license plates shall be made with fully reflective material with a common color scheme and
44 design, shall be clearly visible at night, and shall be aesthetically attractive, as prescribed by section
45 301.130. The license plate authorized by this section shall be issued with a design approved by both
46 the institution of higher education and the advisory committee established in section 301.129.

47 4. A vehicle owner, who was previously issued a plate with an institutional emblem
48 authorized by this section and does not provide an emblem-use authorization statement at a

1 subsequent time of registration, shall be issued a new plate which does not bear the institutional
2 emblem, as otherwise provided by law.

3 5. Notwithstanding the provisions of subsection 1 of this section or subsection 1 of section
4 301.3150, any community college or four-year public or private institution of higher education, or
5 any foundation or organization representing the college or institution, located outside of the state of
6 Missouri, which has authorized the use of its official emblem to be affixed on multiyear personalized
7 license plates and has had its application for a specialty license plate approved by the joint committee
8 on transportation oversight under section 301.3150 prior to August 28, 2012, may continue to
9 authorize the use of its official emblem on such plates. Nothing in subsection 1 of this section shall
10 be construed to prohibit the manufacture or renewal of multiyear personalized license plates bearing
11 out-of-state university, college, or institution of private learning official emblems if such license
12 plates were approved by the joint committee on transportation oversight under section 301.3150
13 prior to August 28, 2012.

14 6. The director of revenue shall make necessary rules and regulations for the enforcement of
15 this section, and shall design all necessary forms including establishing a minimum number of
16 license plates which can be issued with the authorized emblem of a participating institution.

17 302.341. 1. If a Missouri resident charged with a moving traffic violation of this state or any
18 county or municipality of this state fails to dispose of the charges of which the resident is accused
19 through authorized prepayment of fine and court costs and fails to appear on the return date or at any
20 subsequent date to which the case has been continued, or without good cause fails to pay any fine or
21 court costs assessed against the resident for any such violation within the period of time specified or
22 in such installments as approved by the court or as otherwise provided by law, any court having
23 jurisdiction over the charges shall within ten days of the failure to comply inform the defendant by
24 ordinary mail at the last address shown on the court records that the court will order the director of
25 revenue to suspend the defendant's driving privileges if the charges are not disposed of and fully paid
26 within thirty days from the date of mailing. Thereafter, if the defendant fails to timely act to dispose
27 of the charges and fully pay any applicable fines and court costs, the court shall notify the director of
28 revenue of such failure and of the pending charges against the defendant. Upon receipt of this
29 notification, the director shall suspend the license of the driver, effective immediately, and provide
30 notice of the suspension to the driver at the last address for the driver shown on the records of the
31 department of revenue. Such suspension shall remain in effect until the court with the subject
32 pending charge requests setting aside the noncompliance suspension pending final disposition, or
33 satisfactory evidence of disposition of pending charges and payment of fine and court costs, if
34 applicable, is furnished to the director by the individual. Upon proof of disposition of charges and
35 payment of fine and court costs, if applicable, and payment of the reinstatement fee as set forth in
36 section 302.304, the director shall return the license and remove the suspension from the individual's
37 driving record if the individual was not operating a commercial motor vehicle or a commercial
38 driver's license holder at the time of the offense. The filing of financial responsibility with the
39 bureau of safety responsibility, department of revenue, shall not be required as a condition of
40 reinstatement of a driver's license suspended solely under the provisions of this section.

41 2. If any city, town [or], village, or county receives more than [thirty-five] twenty percent of
42 its annual general operating revenue from fines and court costs for traffic violations, including
43 amended charges from any traffic violation, occurring [on state highways] within the city, town,
44 village, or county, all revenues from such violations in excess of [thirty-five] twenty percent of the
45 annual general operating revenue of the city, town [or], village, or county shall be sent to the director
46 of the department of revenue and shall be distributed annually to the schools of the county in the
47 same manner that proceeds of all penalties, forfeitures and fines collected for any breach of the penal
48 laws of the state are distributed. [For the purpose of this section the words "state highways" shall

1 mean any state or federal highway, including any such highway continuing through the boundaries of
 2 a city, town or village with a designated street name other than the state highway number.] The
 3 director of the department of revenue shall set forth by rule a procedure whereby excess revenues as
 4 set forth above shall be sent to the department of revenue. If any city, town, [or] village, or county
 5 disputes a determination that it has received excess revenues required to be sent to the department of
 6 revenue, such city, town, [or], village, or county may submit to an annual audit by the state auditor
 7 under the authority of article IV, section 13 of the Missouri Constitution. An accounting of the
 8 percent of annual general operating revenue from fines and court costs for traffic violations,
 9 including amended charges from any charged traffic violation, occurring within the city, town,
 10 village, or county and charged in the municipal court of that city, town, village, or county shall be
 11 included in the Comprehensive Annual Financial Report submitted to the state auditor by the city,
 12 town, village, or county under section 105.145. Any city, town, village, or county which fails to
 13 make an accurate or timely report, or to send excess revenues from such violations to the director of
 14 the department of revenue by the date on which the report is due to the state auditor shall suffer an
 15 immediate loss of jurisdiction of the municipal court of said city, town, village, or county on all
 16 traffic-related charges until all requirements of this section are satisfied. Any rule or portion of a
 17 rule, as that term is defined in section 536.010, that is created under the authority delegated in this
 18 section shall become effective only if it complies with and is subject to all of the provisions of
 19 chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if
 20 any of the powers vested with the general assembly under chapter 536 to review, to delay the
 21 effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the
 22 grant of rulemaking authority and any rule proposed or adopted after August 28, 2009, shall be
 23 invalid and void.

24 3. As used in subsection 2 of this section, traffic violations shall include all ordinance
 25 violations which are detected through the use of an automated traffic enforcement system, regardless
 26 of whether the ordinance violation is prosecuted as a civil infraction or not. An "automated traffic
 27 enforcement system" means a camera, optical device, electronic system, or other surveillance system
 28 designed to record and produce photographic images, video, or other digital data of a motor vehicle,
 29 a motor vehicle's operator, or both, violating a traffic control signal, speed restriction, or other traffic
 30 law, ordinance or regulation. Automated traffic enforcement systems shall also include automated
 31 speed enforcement systems. The term "automated speed enforcement system" means a device with
 32 one or more motor vehicle sensors, including, but not limited to, photographic devices, radar
 33 devices, laser devices, or other electrical or mechanical devices, designed to record the speed of a
 34 motor vehicle and to obtain a clear photograph or other recorded image of the motor vehicle and the
 35 motor vehicle's license plate, which automatically produces one or more photographs, one or more
 36 microphotographs, a videotape, or other recorded image of a motor vehicle at the time it is used or
 37 operated in violation of the posted speed limit."; and
 38

39 Further amend said bill, Page 17, Section 302.755, Line 78 by inserting after said line the following:

40 "304.013. 1. No person shall operate an all-terrain vehicle, as defined in section 301.010,
 41 upon the highways of this state, except as follows:

- 42 (1) All-terrain vehicles owned and operated by a governmental entity for official use;
- 43 (2) All-terrain vehicles operated for agricultural purposes or industrial on-premises purposes
 44 between the official sunrise and sunset on the day of operation;
- 45 (3) All-terrain vehicles operated by handicapped persons for short distances occasionally
 46 only on the state's secondary roads when operated between the hours of sunrise and sunset;
- 47 (4) Governing bodies of cities may issue special permits to licensed drivers for special uses
 48 of all-terrain vehicles on highways within the city limits. Fees of fifteen dollars may be collected

1 and retained by cities for such permits;

2 (5) Governing bodies of counties may issue special permits to licensed drivers for special
3 uses of all-terrain vehicles on county roads within the county. Fees of fifteen dollars may be
4 collected and retained by the counties for such permits;

5 (6) Municipalities may by resolution or ordinance allow all-terrain vehicle operation on
6 streets or highways under the governing body's jurisdiction. Any person operating an all-terrain
7 vehicle pursuant to a municipal resolution or ordinance shall maintain proof of financial
8 responsibility in accordance with section 303.160 or maintain any other insurance policy providing
9 equivalent liability coverage for an all-terrain vehicle.

10 2. No person shall operate an off-road vehicle within any stream or river in this state, except
11 that off-road vehicles may be operated within waterways which flow within the boundaries of land
12 which an off-road vehicle operator owns, or for agricultural purposes within the boundaries of land
13 which an off-road vehicle operator owns or has permission to be upon, or for the purpose of fording
14 such stream or river of this state at such road crossings as are customary or part of the highway
15 system. All law enforcement officials or peace officers of this state and its political subdivisions or
16 department of conservation agents or department of natural resources park rangers shall enforce the
17 provisions of this subsection within the geographic area of their jurisdiction.

18 3. A person operating an all-terrain vehicle on a highway pursuant to an exception covered in
19 this section shall have a valid operator's or chauffeur's license, except that a handicapped person
20 operating such vehicle pursuant to subdivision (3) of subsection 1 of this section, but shall not be
21 required to have passed an examination for the operation of a motorcycle, and the vehicle shall be
22 operated at speeds of less than thirty miles per hour. When operated on a highway, an all-terrain
23 vehicle shall have a bicycle safety flag, which extends not less than seven feet above the ground,
24 attached to the rear of the vehicle. The bicycle safety flag shall be triangular in shape with an area of
25 not less than thirty square inches and shall be day-glow in color.

26 4. No persons shall operate an all-terrain vehicle:

27 (1) In any careless way so as to endanger the person or property of another;

28 (2) While under the influence of alcohol or any controlled substance;

29 (3) Without a securely fastened safety helmet on the head of an individual who operates an
30 all-terrain vehicle or who is being towed or otherwise propelled by an all-terrain vehicle, unless the
31 individual is at least eighteen years of age.

32 5. No operator of an all-terrain vehicle shall carry a passenger, except for agricultural
33 purposes. The provisions of this subsection shall not apply to any all-terrain vehicle in which the
34 seat of such vehicle is designed to carry more than one person.

35 6. A violation of this section shall be a class C misdemeanor. In addition to other legal
36 remedies, the attorney general or county prosecuting attorney may institute a civil action in a court of
37 competent jurisdiction for injunctive relief to prevent such violation or future violations and for the
38 assessment of a civil penalty not to exceed one thousand dollars per day of violation.

39 304.032. 1. No person shall operate a utility vehicle, as defined in section 301.010, upon the
40 highways of this state, except as follows:

41 (1) Utility vehicles owned and operated by a governmental entity for official use;

42 (2) Utility vehicles operated for agricultural purposes or industrial on-premises purposes
43 between the official sunrise and sunset on the day of operation, unless equipped with proper lighting;

44 (3) Utility vehicles operated by handicapped persons for short distances occasionally only on
45 the state's secondary roads when operated between the hours of sunrise and sunset;

46 (4) Governing bodies of cities may issue special permits for utility vehicles to be used on
47 highways within the city limits by licensed drivers. Fees of fifteen dollars may be collected and
48 retained by cities for such permits;

1 (5) Governing bodies of counties may issue special permits for utility vehicles to be used on
 2 county roads within the county by licensed drivers. Fees of fifteen dollars may be collected and
 3 retained by the counties for such permits;

4 (6) Municipalities may by resolution or ordinance allow utility vehicle operation on streets
 5 or highways under the governing body's jurisdiction. Any person operating a utility vehicle pursuant
 6 to a municipal resolution or ordinance shall maintain proof of financial responsibility in accordance
 7 with section 303.160 or maintain any other insurance policy providing equivalent liability coverage
 8 for a utility vehicle.

9 2. No person shall operate a utility vehicle within any stream or river in this state, except that
 10 utility vehicles may be operated within waterways which flow within the boundaries of land which a
 11 utility vehicle operator owns, or for agricultural purposes within the boundaries of land which a
 12 utility vehicle operator owns or has permission to be upon, or for the purpose of fording such stream
 13 or river of this state at such road crossings as are customary or part of the highway system. All law
 14 enforcement officials or peace officers of this state and its political subdivisions or department of
 15 conservation agents or department of natural resources park rangers shall enforce the provisions of
 16 this subsection within the geographic area of their jurisdiction.

17 3. A person operating a utility vehicle on a highway pursuant to an exception covered in this
 18 section shall have a valid operator's or chauffeur's license, except that a handicapped person
 19 operating such vehicle under subdivision (3) of subsection 1 of this section, but shall not be required
 20 to have passed an examination for the operation of a motorcycle, and the vehicle shall be operated at
 21 speeds of less than forty-five miles per hour.

22 4. No persons shall operate a utility vehicle:

23 (1) In any careless way so as to endanger the person or property of another; or

24 (2) While under the influence of alcohol or any controlled substance.

25 5. No operator of a utility vehicle shall carry a passenger, except for agricultural purposes.
 26 The provisions of this subsection shall not apply to any utility vehicle in which the seat of such
 27 vehicle is designed to carry more than one person.

28 6. A violation of this section shall be a class C misdemeanor. In addition to other legal
 29 remedies, the attorney general or county prosecuting attorney may institute a civil action in a court of
 30 competent jurisdiction for injunctive relief to prevent such violation or future violations and for the
 31 assessment of a civil penalty not to exceed one thousand dollars per day of violation.

32 304.120. 1. Municipalities, by ordinance, may establish reasonable speed regulations for
 33 motor vehicles within the limits of such municipalities. No person who is not a resident of such
 34 municipality and who has not been within the limits thereof for a continuous period of more than
 35 forty-eight hours shall be convicted of a violation of such ordinances, unless it is shown by
 36 competent evidence that there was posted at the place where the boundary of such municipality joins
 37 or crosses any highway a sign displaying in black letters not less than four inches high and one inch
 38 wide on a white background the speed fixed by such municipality so that such sign may be clearly
 39 seen by operators and drivers from their vehicles upon entering such municipality.

40 2. Municipalities, by ordinance, may:

41 (1) Make additional rules of the road or traffic regulations to meet their needs and traffic
 42 conditions;

43 (2) Establish one-way streets and provide for the regulation of vehicles thereon;

44 (3) Require vehicles to stop before crossing certain designated streets and boulevards;

45 (4) Limit the use of certain designated streets and boulevards to passenger vehicles, except
 46 that each municipality shall allow at least one route, with lawful traffic movement and access from
 47 both directions, to be available for use by commercial motor vehicles to access any roads in the state
 48 highway system. Under no circumstances shall the provisions of this subdivision be construed to

1 authorize a municipality to limit the use of all routes in the municipality;

2 (5) Prohibit the use of certain designated streets to vehicles with metal tires, or solid rubber
3 tires;

4 (6) Regulate the parking of vehicles on streets by the installation of parking meters for
5 limiting the time of parking and exacting a fee therefor or by the adoption of any other regulatory
6 method that is reasonable and practical, and prohibit or control left-hand turns of vehicles;

7 (7) Require the use of signaling devices on all motor vehicles; and

8 (8) Prohibit sound-producing warning devices, except horns directed forward.

9 3. No ordinance shall be valid which contains provisions contrary to or in conflict with this
10 chapter, except as herein provided.

11 4. No ordinance shall impose liability on the owner-lessor of a motor vehicle when the
12 vehicle is being permissively used by a lessee and is illegally parked or operated if the registered
13 owner-lessor of such vehicle furnishes the name, address and operator's license number of the person
14 renting or leasing the vehicle at the time the violation occurred to the proper municipal authority
15 within three working days from the time of receipt of written request for such information. Any
16 registered owner-lessor who fails or refuses to provide such information within the period required
17 by this subsection shall be liable for the imposition of any fine established by municipal ordinance
18 for the violation. Provided, however, if a leased motor vehicle is illegally parked due to a defect in
19 such vehicle, which renders it inoperable, not caused by the fault or neglect of the lessee, then the
20 lessor shall be liable on any violation for illegal parking of such vehicle.

21 5. No ordinance shall deny the use of commercial motor vehicles on all routes within the
22 municipality. For purposes of this section, the term "route" shall mean any state road, county road,
23 or public street, avenue, boulevard, or parkway.

24 6. No ordinance shall prohibit the operator of a motor vehicle from being in an intersection
25 while a red signal is being displayed if the operator of the motor vehicle entered the intersection
26 during a yellow signal interval. The provisions of this subsection shall supercede any local laws,
27 ordinances, orders, rules, or regulations enacted by a county, municipality, or other political
28 subdivision that are to the contrary."; and

29 Further amend said bill, Page 23, Section 304.820, Line 59 by inserting after said line the following:

30 "307.400. 1. It is unlawful for any person to operate any commercial motor vehicle as
31 defined in Title 49, Code of Federal Regulations, Part 390.5, either singly or in combination with a
32 trailer, as both vehicles are defined in Title 49, Code of Federal Regulations, Part 390.5, unless such
33 vehicles are equipped and operated as required by Parts 390 through 397, Title 49, Code of Federal
34 Regulations, as such regulations have been and may periodically be amended, whether intrastate
35 transportation or interstate transportation. Members of the Missouri state highway patrol are
36 authorized to enter the cargo area of a commercial motor vehicle or trailer to inspect the contents
37 when reasonable grounds exist to cause belief that the vehicle is transporting hazardous materials as
38 defined by Title 49 of the Code of Federal Regulations. The director of the department of public
39 safety is hereby authorized to further regulate the safety of commercial motor vehicles and trailers as
40 he deems necessary to govern and control their operation on the public highways of this state by
41 promulgating and publishing rules and regulations consistent with this chapter. Any such rules shall,
42 in addition to any other provisions deemed necessary by the director, require:

43 (1) Every commercial motor vehicle and trailer and all parts thereof to be maintained in a
44 safe condition at all times;

45 (2) Accidents arising from or in connection with the operation of commercial motor vehicles
46 and trailers to be reported to the department of public safety in such detail and in such manner as the
47 director may require. Except for the provisions of subdivisions (1) and (2) of this subsection, the
48

1 provisions of this section shall not apply to any commercial motor vehicle operated in intrastate
2 commerce and licensed for a gross weight of sixty thousand pounds or less when used exclusively
3 for the transportation of solid waste or forty-two thousand pounds or less when the license plate has
4 been designated for farm use by the letter "F" as authorized by the Revised Statutes of Missouri,
5 unless such vehicle is transporting hazardous materials as defined in Title 49, Code of Federal
6 Regulations.

7 2. Notwithstanding the provisions of subsection 1 of this section to the contrary, Part 391,
8 Subpart E, Title 49, Code of Federal Regulations, relating to the physical requirements of drivers
9 shall not be applicable to drivers in intrastate commerce, provided such drivers were licensed by this
10 state as chauffeurs to operate commercial motor vehicles on May 13, 1988. Persons who are
11 otherwise qualified and licensed to operate a commercial motor vehicle in this state may operate
12 such vehicle intrastate at the age of eighteen years or older, except that any person transporting
13 hazardous material must be at least twenty-one years of age.

14 3. Commercial motor vehicles and drivers of such vehicles may be placed out of service if
15 the vehicles are not equipped and operated according to the requirements of this section. Criteria
16 used for placing vehicles and drivers out of service are the North American Uniform Out-of-Service
17 Criteria adopted by the Commercial Vehicle Safety Alliance and the United States Department of
18 Transportation, as such criteria have been and may periodically be amended.

19 4. Notwithstanding the provisions of subsection 1 of this section to the contrary, Part 395,
20 Title 49, Code of Federal Regulations, relating to the hours of drivers, shall not apply to any vehicle
21 owned or operated by any public utility, rural electric cooperative or other public service
22 organization, or to the driver of such vehicle, while providing restoration of essential utility services
23 during emergencies and operating intrastate. For the purposes of this subsection, the term "essential
24 utility services" means electric, gas, water, telephone and sewer services.

25 5. [Part 395, Title 49, Code of Federal Regulations, relating to the hours of drivers, shall not
26 apply to drivers transporting agricultural commodities or farm supplies for agricultural purposes in
27 this state if such transportation:

28 (1) Is limited to an area within a one hundred air-mile radius from the source of the
29 commodities or the distribution point for the farm supplies; and

30 (2) Is conducted during the planting and harvesting season within this state, as defined by the
31 department of public safety by regulation.

32 6. The provisions of Part 395.8, Title 49, Code of Federal Regulations, relating to recording
33 of a driver's duty status, shall not apply to drivers engaged in agricultural operations referred to in
34 subsection 5 of this section, if the motor carrier who employs the driver maintains and retains for a
35 period of six months accurate and true records showing:

36 (1) The total number of hours the driver is on duty each day; and

37 (2) The time at which the driver reports for, and is released from, duty each day.

38 7.] Notwithstanding the provisions of subsection 1 of this section to the contrary, Parts 390
39 through 397, Title 49, Code of Federal Regulations shall not apply to commercial motor vehicles
40 operated in intrastate commerce to transport property, which have a gross vehicle weight rating or
41 gross combination weight rating of twenty-six thousand pounds or less. The exception provided by
42 this subsection shall not apply to:

43 (1) Vehicles transporting hazardous materials [or to] and which are not covered farm
44 vehicles as provided in subdivision (3) of this subsection; or

45 (2) Vehicles designed to transport sixteen or more passengers including the driver as defined
46 by Title 49 of the Code of Federal Regulations; or

47 (3) Vehicles which are defined as covered farm vehicles pursuant to federal laws and
48 regulations and are transporting hazardous materials that require a placard as required by Title 49,

1 Code of Federal Regulations, Parts 100-180.

2 Nothing in this subsection shall be construed to prohibit persons designated by the department of
3 public safety from inspecting vehicles defined in this subsection.

4 [8.] 6. Violation of any provision of this section or any rule promulgated as authorized
5 therein is a class B misdemeanor.

6 [9.] 7. Any rule or portion of a rule, as that term is defined in section 536.010, that is created
7 under the authority delegated in this section shall become effective only if it complies with and is
8 subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and
9 chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to
10 chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently
11 held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after
12 August 28, 2009, shall be invalid and void.

13 544.157. 1. Any law enforcement officer certified pursuant to chapter 590 of any political
14 subdivision of this state, any authorized agent of the department of conservation, any commissioned
15 member of the Missouri capitol police, any college or university police officer, and any
16 commissioned member of the Missouri state park rangers in fresh pursuit of a person who is
17 reasonably believed by such officer to have committed a felony in this state or who has committed,
18 or attempted to commit, in the presence of such officer or agent, any criminal offense or violation of
19 a municipal or county ordinance, or for whom such officer holds a warrant of arrest for a criminal
20 offense, shall have the authority to arrest and hold in custody such person anywhere in this state.
21 Fresh pursuit may only be initiated from within the pursuing peace officer's, conservation agent's,
22 capitol police officer's, college or university police officer's, or state park ranger's jurisdiction and
23 shall be terminated once the pursuing peace officer is outside of such officer's jurisdiction and has
24 lost contact with the person being pursued. If the offense is a traffic violation, the uniform traffic
25 ticket shall be used as if the violator had been apprehended in the municipality or county in which
26 the offense occurred.

27 2. If such an arrest is made in obedience to a warrant, the disposition of the prisoner shall be
28 made as in other cases of arrest under a warrant; if the violator is served with a uniform traffic ticket,
29 the violator shall be directed to appear before a court having jurisdiction to try the offense; if the
30 arrest is without a warrant, the prisoner shall be taken forthwith before a judge of a court with
31 original criminal jurisdiction in the county wherein such arrest was made or before a municipal judge
32 thereof having original jurisdiction to try such offense, who may release the person as provided in
33 section 544.455, conditioned upon such person's appearance before the court having jurisdiction to
34 try the offense. The person so arrested need not be taken before a judge as herein set out if given a
35 summons by the arresting officer.

36 3. The term "fresh pursuit", as used in this section, shall include hot or fresh pursuit as
37 defined by the common law and also the pursuit of a person who has committed a felony or is
38 reasonably suspected of having committed a felony in this state, or who has committed or attempted
39 to commit in this state a criminal offense or violation of municipal or county ordinance in the
40 presence of the arresting officer referred to in subsection 1 of this section or for whom such officer
41 holds a warrant of arrest for a criminal offense. It shall include also the pursuit of a person suspected
42 of having committed a supposed felony in this state, though no felony has actually been committed,
43 if there is reasonable ground for so believing. "Fresh pursuit" as used herein shall imply instant
44 pursuit.

45 4. A public agency electing to institute vehicular pursuits shall adopt a policy for the safe
46 conduct of vehicular pursuits by peace officers. Such policy shall meet the following minimum
47 standards:

48 (1) There shall be supervisory control of the pursuit;

1 (2) There shall be procedures for designating the primary pursuit vehicle and for determining
2 the total number of vehicles to be permitted to participate at one time in the pursuit;

3 (3) There shall be procedures for coordinating operation with other jurisdictions; and

4 (4) There shall be guidelines for determining when the interests of public safety and
5 effective law enforcement justify a vehicular pursuit and when a vehicular pursuit should not be
6 initiated or should be terminated.

7 Section 1. 1. The governor is hereby authorized and empowered to sell, transfer, grant,
8 convey, remise, release and forever quitclaim all interest of the state of Missouri in real property
9 located in Taney County to the state highways and transportation commission. The property to be
10 conveyed is more particularly described as follows:

11 Tract One

12 Right of way for a Federal road 80 feet wide, except as noted.

13
14 That part of the SE¹/₄ of the NW¹/₄ and also of the NE¹/₄ of SW¹/₄ and also of the NW¹/₄
15 of SE¹/₄ and also of the SW¹/₄ of SE¹/₄ and also of the SE¹/₄ of SW¹/₄ all in Sec. 6, and
16 also the NE¹/₄ of NW¹/₄ and also of the NW¹/₄ of NE¹/₄ in Sec. 7, all in T21N, R21W
17 lying within a strip of land 80 feet wide, except as noted, 40 feet thereof, except as
18 noted, being on each side of, parallel to and measured from a surveyed center line
19 which is described as follows:

20
21 Beginning on the north line of and 720 feet east of the north west corner of the SE¹/₄
22 of NW¹/₄ of Sec. 6, T21N, R21W; thence south easterly on a curve to the right with
23 1146.3 feet radius, the tangent to which bears S 31 ° 56'E, 243 feet; thence S 19 ° 47'E
24 a distance of 391 feet; thence continuing S 19 ° 47'E with 40 feet on the right side and
25 55 feet on the left side of the said center line, a distance of 200 feet; thence continuing
26 S 19 ° 47'E with 40 feet on each side of the said center line, a distance of 240 feet;
27 thence continuing S 19 ° 47'E with 60 feet on the right side of and 40 feet on the left
28 side of the said center line, a distance of 110 feet; thence continuing S 19 ° 47'E with
29 40 feet on both sides of the center line, a distance of 1405.4 feet; thence on a curve to
30 the right with 819 feet radius, a distance of 534.8 feet; thence S 17 ° 39'W a distance
31 of 683.5 feet; thence on a curve to the left with 637.8 feet radius, a distance of 421.1
32 feet; thence S 20 ° 15'E a distance of 560.3 feet; thence on a curve to the left with
33 955.4 feet radius, a distance of 366.7 feet; thence S 42 ° 15'E with 40 feet on the right
34 side of and 60 feet on the left side of the said center line, a distance of 118.3 feet;
35 thence S 42 ° 15'E with 40 feet on each side of the said center line, a distance of 230
36 feet, to the south line of and 270 feet more or less east of the south west corner of the
37 said NW¹/₄ of NE¹/₄ of Sec. 7.

38
39 Containing right of way old 4.60 acres, more or less

40	<u>new 5.68</u>	<u>"</u>	<u>"</u>
41	<u>total 10.28</u>	<u>"</u>	<u>"</u>

42
43 Tract Two

44
45 Right of way for a Federal road 80 feet wide, except as noted.

46
47 That part of the SW¹/₄ of NE¹/₄ of Sec. 7, T21N, R21W lying on the west side of the
48 present road and included within a tract of land 80 feet wide, except as noted, 40 feet

1 property line between C.N. McElfresh and V.T. Jones, a distance of 57 feet; thence S
 2 42° 15'E a distance of 23.8 feet; thence on a curve to the right with 771.8 feet radius,
 3 parallel to and 55 feet from the said center line, a distance of 95 feet; thence S
 4 53° 51'W a distance of 15 feet; thence south eastward on a curve to the right with
 5 756.8 feet radius, the tangent to which bears S 36° 09'E a distance of 550 feet; thence
 6 S 6° 08'W a distance of 171.4 feet; thence S 83° 52'E a distance of 10 feet; thence S
 7 6° 08'W a distance of 250 feet; thence N 83° 52'W a distance of 10 feet; thence S
 8 6° 08'W a distance of 100 feet, more or less to the south line of the said SW¼ of
 9 NE¼; thence west on said south line a distance of 82 feet; thence N 6° 08'E parallel to
 10 and 40 feet from the said center line, a distance of 530 feet; thence on a curve to the
 11 left with 676.8 feet radius, a distance of 260 feet, to the property line between C.N.
 12 McElfresh and W.R. Cary; thence eastward on said property line, a distance of 37 feet
 13 to the center of the present road; thence north westerly along said present road a
 14 distance of 360 feet; thence N 55° 30'E a distance of 25 feet more or less to the
 15 beginning place.

16
 17 Containing right of way old 0.66 acres, more or less
 18 new 1.45 " "
 19 total 2.11 " "

20
 21 Tract Five

22
 23 Right of way for Federal road 80 feet wide, except as noted.

24
 25 That part of NW¼ of SE¼ of Sec. 7 and also of the NE¼ of NE¼ of Sec. 18, all in
 26 T21N, R21W lying within tracts of land 80 feet wide, except as noted, 40 feet of
 27 which, except as noted is on each side of, parallel to and measured from a surveyed
 28 center line which is described as follows:

29
 30 (1) Beginning on the north line of and 470 feet east of the north west corner of the
 31 NW¼ of SE¼ of Sec. 7, T21N, R21W; thence S 6° 08'W with 40 feet on both sides
 32 of the said center line, a distance of 512.1 feet; thence on a curve to the left with
 33 1432.7 feet radius, a distance of 418.7 feet; thence S 10° 37'E a distance of 70 feet;
 34 thence continuing S 10° 37'E with 40 feet on the right side of and 50 feet on the left
 35 side of the said center line, a distance of 150 feet; thence continuing S 10° 37'E with
 36 40 feet on each side of the said center line, a distance of 150 feet, to the south line of
 37 and 956 feet west of the south east corner of the said NW¼ of SE¼ of Sec. 7

38 Containing right of way old 1.00 acres, more or less
 39 new 1.42 " "
 40 total 2.42 " "

41
 42 (2) Beginning on the west line of and 460 feet south of the north west corner of the
 43 NE¼ of NE¼ of Sec. 18, T21N, R21W; thence S 44° 10'E a distance of 155.9 feet;
 44 thence on a curve to the left with 1432.7 feet radius, a distance of 517.5 feet; thence S
 45 64° 52'E a distance of 166.9 feet; thence on a curve to the right with 637.3 feet radius,
 46 a distance of 414.7 feet, to the south line of and 890 feet east of the south west corner
 47 of the said NE¼ of NE¼ of Sec. 18.

1 the west property line of said first party or Sta. 503+50 and continuing to Sta.
 2 512+00, a distance of 830.8 ft. thence widening to a strip of land 100 ft. wide being
 3 45 ft. wide on the left or north side of and 55 ft. wide on the right or south side of said
 4 centerline from Sta. 512+00 to Sta. 516+00, a distance of 400 ft. thence narrowing to
 5 a strip of land 80 ft. wide being 40 ft. wide on each side of said centerline from Sta.
 6 516+00 to the south property line of said first party or Sta. 520+00 being a distance of
 7 400 ft., also a strip of land 50 ft. wide for connection of said highway and the present
 8 road, said strip of land extending a distance of 75 ft. more or less in an easterly
 9 direction from said left or north right-of-way line at or near Sta. 520+ and as shown
 10 on the plans for said highway, as surveyed, located and platted by the State Highway
 11 Department thru the S.½ of N.W.¼ of Sec. 7 T 43 N-R 8 W; as shown by a plat of
 12 said survey now on file with the Clerk of the County Court of Osage County,
 13 Missouri.

14 2. The commissioner of administration shall set the terms and conditions for the sale as the
 15 commissioner deems reasonable. Such terms and conditions may include, but not be limited to, the
 16 number of appraisals required, the time, place, and terms of the sale.

17 3. The attorney general shall approve the form of the instrument of conveyance.

18 Section 4. 1. The governor is hereby authorized and empowered to sell, transfer, grant,
 19 convey, remise, release, and forever quitclaim all in Madison County to the state highways and
 20 transportation commission. The property to be conveyed is more particularly described as follows:

21 Beginning at a point 114.7 feet south 82 1/2° east of the southwest corner of U.S.P.S.
 22 350, Township 33 north, Range 7 east, and on the centerline of the survey made by
 23 the State Highway Commission for Route 67, Madison County, and shown on the
 24 plan thereof – a copy of which is on file with the Clerk of the County Court of
 25 Madison County – the said point being known as Station 250+74 and on the arc of a
 26 0° 30' curve to the right; the tangent of which bears north 0° 18' east at this point,
 27 thence along the said arc 2041.6 feet thence north 10° 30' east, 1458.4 feet to a point
 28 on the said centerline known as Station 215+74 and there terminating.

29 A strip of land lying on each side of, and adjacent to the above described centerline as
 30 follows:

31 Width Right Width Left
 32

Station to Station Distance (East) (West)

<u>250+74</u>	<u>235+00</u>	<u>1574 Feet</u>		<u>50 Feet</u>
<u>235+00</u>	<u>230+00</u>	<u>500 "</u>	<u>65 "</u>	<u>50 Feet</u>
<u>230+00</u>	<u>228+80</u>	<u>120 "</u>	<u>80 "</u>	<u>50 "</u>
<u>228+80</u>	<u>224+50</u>	<u>430 "</u>	<u>80 "</u>	<u>80 "</u>
<u>224+50</u>	<u>224+00</u>	<u>50 "</u>	<u>80 "</u>	<u>50 "</u>
<u>224+00</u>	<u>215+74</u>	<u>826 "</u>	<u>50 "</u>	<u>50 "</u>

and all of U.S.P.S. 350 lying west of the said centerline from Station 250+74 to Station 235+00.

Also strips of land 10 feet wide lying on each side of and adjacent to the above described right-of-way being on the right (east) side from Station 224+00 to Station 217+00 and on the left (west) side from Station 220+50 to Station 218+00, upon which the parties of the first part grant, convey and warrant for themselves, and their heirs, successors and assigns, unto the State, its agents, successors or assigns, the right, easement and privilege to construct and maintain on the land described in this paragraph all such extensions of any slopes from roadbed cuts or fills which may be necessary to taper out such slopes; only the above rights in, and not the fee title to, such land is hereby conveyed, and the grantors shall have the unrestricted right to fence, use and control such land in any way they desire, so long as the same does not interfere with the rights hereby granted.

Also 0.20 acre being a tract or parcel of land lying on the right (east) side of and adjacent to the right-of-way described above being 70 feet wide from Station 226+50 to Station 225+25, upon which the party of the second part is granted only the right to enter for the purpose of constructing and opening a channel and using the excavation therefrom in grading the State Highway. The said party of the second part is also granted the right to enter upon the said land of the parties of the first part as often as may be necessary for the purpose of maintaining and keeping open the said channel, the parties of the first part or their successors otherwise to have the free, uninterrupted and absolute use of said land.

All lying in U.S.P.S. 350, Township 33 north, Range 7 east of the 5th P.M. in Madison County, Missouri and containing 10.15 acres.

2. The commissioner of administration shall set the terms and conditions for the sale as the commissioner deems reasonable. Such terms and conditions may include, but not be limited to, the number of appraisals required, the time, place, and terms of the sale.

3. The attorney general shall approve the form of the instrument of conveyance.

Section 5. 1. The governor is hereby authorized and empowered to sell, transfer, grant, convey, remise, release and forever quitclaim all interest of the state of Missouri in real property located in Greene County to the state highways and transportation commission. The property to be

1 conveyed is more particularly described as follows:

2 Right of way for State Highway Route 60.

3 That part of the NE ¼ of SW ¼ and NW ¼ of SE ¼ of Sec. 10, Twp. 28N, R23W,
 4 south and east of the Frisco Railroad right of way and southwest of State Highway
 5 Route M, being in a tract of land 172 feet wide, except as noted, 57 feet of which,
 6 except as noted, is on the left or northwesterly side, and 115 feet, except as noted, on
 7 the right or southeasterly side of, adjacent to, parallel with and measured from the
 8 surveyed center line of the survey of the Missouri State Highway Department for said
 9 Route 60, which surveyed center line is described as follows:

10 1. Beginning at a point approximately 47 feet south and 16 feet east of the southwest
 11 corner of the said NW ¼ of SE ¼ of Sec. 10, at survey station 178+50, thence N
 12 56° 14'E 1635 feet to station 194+85, which station is approximately 462 feet south
 13 and 30 feet east of the northeast corner of said NW ¼ of SE ¼ of Sec. 10.

14 Containing 5.74 acres, more or less, new right of way.

15 2. Also beginning on the left side of item 1, opposite station 191+28.3, thence N
 16 4° 02'E 255 feet, thence S 85° 43'W approximately 77.5 feet to the southeasterly
 17 boundary of the railroad right of way, thence in a southwesterly direction with said
 18 boundary to the south side of the said NE ¼ of SE ¼ of said Sec. 10, thence east
 19 approximately 20 feet to item 1, thence N 56° 14'E with item 1, 1375 feet to the point
 20 of beginning.

21 Containing 3.04 acres, more or less, new right of way.

22 3. Also a tract beginning on the left side of item 1, opposite station 193+28.3, thence
 23 northerly to the southwesterly right of way boundary of said Route M as it is now
 24 located and established, 30 feet from and opposite station 3+98.7 of said route, thence
 25 southeasterly with Route M to the east boundary of the property, thence south with
 26 said east property boundary to item 1, thence southwesterly with item 1 to the point of
 27 beginning.

28 Containing 0.28 acre, more or less, new right of way.

29 4. Also a tract beginning on the right side of item 1, opposite station 193+28.3,
 30 thence easterly approximately 35 feet to the east property boundary, thence north
 31 approximately 26 feet to item 1, thence southwesterly with item 1 approximately 40
 32 feet to the point of beginning.

33 Containing 0.01 acre, more or less, new right of way.

34 Items 1, 2, 3 and 4 contain a total of 9.07 acres, more or less, new right of way.

35
 36 2. The commissioner of administration shall set the terms and conditions for the sale as the
 37 commissioner deems reasonable. Such terms and conditions may include, but not be limited to, the
 38 number of appraisals required, the time, place, and terms of the sale.

39 3. The attorney general shall approve the form of the instrument of conveyance.

40 Section 6. 1. The governor is hereby authorized and empowered to sell, transfer, grant,
 41 convey, remise, release and forever quitclaim all interest of the state of Missouri in real property
 42 located in Andrew County to the state highways and transportation commission. The property to be

1 conveyed is more particularly described as follows:

2 Tract 1

3 A parcel of land bounded by a line beginning at a point on the centerline of the
 4 surveyed State highway at Station 195+98, said point also being two hundred
 5 thirty-five (235) feet north of the northeast corner of the southeast quarter of the
 6 southwest quarter of Section thirty-five (35), Township sixty-one (61) north, Range
 7 thirty-five (35) west, thence south fifty (50) feet, thence northeasterly on a curve
 8 having a radius of one thousand one hundred eight-six and twenty-eight hundredths
 9 (1186.28) feet, and extending two hundred twenty-eight (228) feet, thence north 47°
 10 19' east one thousand twenty-nine and two tenths (1029.2) feet, thence easterly on a
 11 curve having a radius of one thousand one hundred six and twenty-eight hundredths
 12 (1106.28) feet, and extending eight hundred forty-eight and sixty-seven hundredths
 13 (848.67) feet, thence easterly twenty-five and thirteen hundredths (25.13) feet, thence
 14 north forty (40) feet, thence west three hundred fifty (350) feet, thence southwesterly
 15 on a curve having a radius of one thousand one hundred eighty-six and twenty-eight
 16 hundredths (1186.28) feet, and extending two hundred seventy (270) feet, thence
 17 northwesterly five (5) feet, thence southeasterly on a curve having a radius of one
 18 thousand one hundred ninety-one and twenty-eight hundredths (1191.28) feet, and
 19 extending two hundred ninety (290) feet, thence south 47° 19' west a distance of
 20 forty-five (45) feet, thence southeasterly five (5) feet, thence south 47° 19' west four
 21 hundred eighty (480) feet, thence westerly twenty-four (24) feet thence south fifteen
 22 (15) feet, thence easterly ten (10) feet, thence south 47° 19' west a distance of four
 23 hundred fifty-three (453) feet thence southwesterly on a curve having a radius of one
 24 thousand one hundred six and twenty-eight hundredths (1106.28) feet a distance of
 25 one-hundred seventy (170) feet, thence south fifty (50) feet to the point of beginning.
 26 Said parcel of land being in and a part of the north one-half of the southeast quarter of
 27 Section thirty-five (35), Township sixty-one (61) north, Range thirty-five (35) west
 28 and comprising three and ninety hundredths (3.90) acres.

29 Tract 2

30 A parcel of land bounded by a line beginning at a point on the centerline of the
 31 surveyed State highway at Station 217+00, said point being eight hundred
 32 ninety-seven and forty-nine hundredths (897.49) feet west of the quarter section
 33 corner east side of Section thirty-five (35), Township sixty-one (61) north, Range
 34 thirty-five (35) west, thence west three hundred fifty (350) feet to the north right of
 35 way line of the surveyed State highway, thence northeasterly along the said north
 36 right of way line on a curve having a radius of one thousand one hundred eighty-six
 37 and twenty-eight hundredths (1186.28) feet and extending three hundred twenty-eight
 38 (328) feet, thence east twenty-five (25) feet, thence south forty (40) feet to the point
 39 of beginning.
 40 Said parcel of land being in and a part of the southeast quarter of the northeast quarter
 41 of Section thirty-five (35), Township sixty-one (61) north, Range thirty-five (35) west
 42 and comprising sixteen hundredths (0.16) of an acre.

43 Tract 3

44 That part of the northeast quarter of Section thirty-four (34), Township sixty-one (61)
 45 north, Range thirty-five (35) west and being more particularly described as follows:
 46 Bounded by a line beginning at a point, said point being one thousand two hundred
 47 twenty-two (1222) feet east of the quarter section corner center of said Section

1 thirty-four (34), thence north three hundred seventy (370) feet, to the south bank of
 2 102 River, thence easterly along the south bank of said River forty (40) feet, thence
 3 south 17°30' east three hundred fifty (350) feet, thence west one hundred forty (140)
 4 feet to the point of beginning and comprising fifty-nine hundredths (0.59) of an acre.

5 Tract 4

6 That part of the southeast quarter of Section thirty-five (35), Township sixty-one (61)
 7 north, Range thirty-five (35) west, more particularly described as
 8 Tract #1, being bounded by a line beginning at a point on the centerline of State
 9 Highway Route 48 at Station 212+71.2, which is approximately one thousand three
 10 hundred fifty-seven and six tenths (1357.6) feet west of the northeast corner of the
 11 southeast quarter of said Section thirty-five (35), thence west fifty-four and five
 12 tenths (54.5) feet to this westerly right of way line of said State Highway Route 48,
 13 thence south 47°11' west along said westerly right of way line three hundred (300)
 14 feet, thence northeasterly to the right on the arc of a curve having a radius of one
 15 thousand one hundred ninety-one and twenty-eight hundredths (1191.28) feet, and
 16 extending a distance of one hundred eighty (180) feet, thence southeasterly and at
 17 right angles a distance of five (5) feet, thence northeasterly to right on the arc of a
 18 curve having a radius of one thousand one hundred eight-six and twenty-eight
 19 hundredths (1186.28) feet and extending a distance of two hundred seventy (270) feet
 20 to a point on the north line of the southeast quarter of said Section thirty-five (35),
 21 thence west to said point of beginning. Said tract is for right of way and contains
 22 thirty-three hundredths (0.33) of an acre.

23 Tract 5

24 That part of the northeast quarter of Section thirty-five (35), Township sixty-one (61),
 25 Range thirty-five (35) west, found by
 26 Starting at a point on the centerline of State Highway Route 48, at Station 212+71.2,
 27 which is approximately one thousand three hundred fifty-seven and six tenths
 28 (1357.6) feet west of the southeast corner of the northeast quarter of said section
 29 thirty-five (35), thence following said centerline north 47°11' east one thousand
 30 twenty-eight and seven tenths (1028.7) feet to Station 222+99.9, a P.C., thence
 31 northerly to the left on the arc of a 5° 00' curve seven hundred sixty-two (762) feet to
 32 Station 250+61.9, a P.T., thence north 9° 05' east one thousand two hundred
 33 ninety-seven and one tenth (1297.1) feet to Station 245+59, which is on defendants'
 34 north property line, and is approximately forty (40) feet west of the northeast corner
 35 of said Section thirty-five (35).

36 Tract #1, being all of defendants' land lying within forty (40) feet to each side of the
 37 above described centerline from said Station 212+71.2 to Station 219+00, thence
 38 continuing with sixty (60) feet to left and widening uniformly to fifty (50) feet to
 39 right of said centerline at Station 220+00, thence continuing with sixty (60) feet to
 40 left and fifty (50) feet to right of said centerline to Station 220+50, thence continuing
 41 with forty (40) feet to left and narrowing uniformly to forty (40) feet to right of said
 42 centerline at Station 221+50, thence continuing with forty (40) feet to each side of
 43 said centerline to said Station 245+59, Said tract is for right of way and contains five
 44 and seventy-seven hundredths (5.77) acres.

45 Tract #2, being thirty (30) feet wide by one hundred (100) feet long to left of the
 46 above described right of way (or Tract #1) from opposite Station 235+00 to opposite
 47 Station 254+00, at an angle of 90° from said centerline. Said tract contains seven

1 hundredths (0.07) of an acre, and is for changing the channel of a stream and
 2 providing for drainage ditches necessary for the proper construction and maintenance
 3 of said State Highway. Plaintiff only seeks the right to enter upon said tract of land
 4 for the purpose of constructing and opening said drainage ditches and channel change,
 5 using the excavation therefrom in grading said highway and for filling portions of the
 6 old channel; also the right to enter upon said parcel of land when necessary to
 7 maintain and keep open said ditches; the defendants, their successors or assigns to
 8 otherwise have the free, uninterrupted and absolute use of said Tract #2.

9 2. The commissioner of administration shall set the terms and conditions for the sale as the
 10 commissioner deems reasonable. Such terms and conditions may include, but not be limited to, the
 11 number of appraisals required, the time, place, and terms of the sale.

12 3. The attorney general shall approve the form of the instrument of conveyance.

13 Section 7. 1. The governor is hereby authorized and empowered to sell, transfer, grant,
 14 convey, remise, release and forever quitclaim all interest of the state of Missouri in real property
 15 located in Ozark County to the state highways and transportation commission. The property to be
 16 conveyed is more particularly described as follows:

17 Tract 1

18 All that part of the following tract:

19 Northwest quarter of the southeast quarter (NW¹/₄ SE¹/₄)

20 Of Section 15, Township 22 North, Range 16 West

21 Which lies within a distance of 40 feet on each side of the centerline of State highway
 22 designated as Route SC, leading from Route 5, west of Gainesville, westerly to the
 23 Ozark-Taney County line, as the same was located, surveyed and platted by the State
 24 Highway Department, as shown on plans duly approved by the State Highway
 25 Commission, a copy of which is now on file with the Clerk of the County Court in
 26 and for Ozark County.

27 Said centerline being described as follows:

28 Beginning at a point on the west boundary of said tract, distant 650 feet, more or less,
 29 north of the southwest corner thereof, at or near Station 201+60; thence run north 49°
 30 14' east, 526.9 feet; thence deflect to the right on a 4° curve, (delta angle 40° 22')
 31 1009.2 feet; thence on tangent to said curve north 89° 36' east, 18.9 feet, more or less,
 32 to a point on the east boundary of said tract, distant 5 feet, more or less, south of the
 33 northeast corner thereof, and there terminating at or near Station 217+15.

34 Containing 2.86 acres, more or less.

35 2. Also the following parcel of land adjoining the above described right of way tract,
 36 extending between the stations indicated to the widths shown below:

1 Left: Station 202+01 to 202+27, 26 feet long by 30 feet wide on a 40° skew to the
 2 right

3 3. Also all that part of said tract lying northerly of the above described strip, and
 4 easterly of a line described as follows:

5 Beginning at a point on the left or northerly line of said above described strip,
 6 opposite Station 211+00; thence run northwesterly normal to said centerline to its
 7 intersection with the northerly boundary of said tract, and there terminating.

8 Item 2 has an area of 0.02 acre, more or less, and is for the purpose of a ditch outlet,
 9 to which the State Highway Department only seeks the right to enter upon land of
 10 said owners for the purpose of constructing and opening said ditch, using excavation
 11 therefrom in grading said highway, and entering upon the said parcel of land as often
 12 as may be necessary to maintain and keep open said ditch; providing the owners shall
 13 otherwise have the free, absolute and uninterrupted use of said land.

14 Item 3 has an area of 0.29 acre, more or less, and is for the purpose of permanent right
 15 of way.

16 Tract 2

17 All that part of the following tract:

18 South half of the northeast quarter (S½ NE¼)

19 Of Section 15, Township 22 North, Range 16 West

20 Which lies within a distance of 40 feet on the northerly side of the centerline of State
 21 highway designated as Route SC, leading from Route 5, west of Gainesville, westerly
 22 to the Ozark-Taney County line, as the same was located, surveyed and platted by the
 23 State Highway Department, as shown on plans duly approved by the State Highway
 24 Commission, a copy of which is now on file with the Clerk of the County Court in
 25 and for Ozark County.

26 Said centerline being described as follows:

27 Beginning at a point distant 38 feet, more or less, south and 330 feet, more or less,
 28 west of the southeast corner of the southwest quarter of the northeast quarter of said
 29 Section 15, at or near Station 213+80; thence from a tangent bearing north 76° 58'
 30 east, deflect to the right on a 4° curve, 316.1 feet; thence on tangent to said curve
 31 north 89° 36' east, 1368.9 feet, more or less, to a point on the extended east boundary
 32 of the southeast quarter of the northeast quarter of said Section 15, distant 10 feet,
 33 more or less, south of the southeast corner thereof, and there terminating at or near
 34 Station 230+65

35 Containing 0.25 acre, more or less, new right of way
 36 and 0.99 acre, more or less, old right of way

37 (There is excepted from the above described strip, a strip of land 10 feet in width,
 38 lying adjacent to and southerly of the northerly line of said strip, and extending from
 39 Station 227+00 to the east boundary of the property).

40 2. Also the following parcel of land adjoining the above described right of way tract,
 41 extending between the stations indicated to the widths shown below:

42 Left: Station 222+50 to 225+50, 300 feet long by 5 feet wide

43 Item 2 has an area of 0.03 acre, more or less, and is for the purpose of permanent right
 44 of way.

45 2. The commissioner of administration shall set the terms and conditions for the sale as the
 46 commissioner deems reasonable. Such terms and conditions may include, but not be limited to, the

1 number of appraisals required, the time, place, and terms of the sale.

2 3. The attorney general shall approve the form of the instrument of conveyance.

3 Section B. Because of the need to ensure that motorists who were issued valid special license
4 plates are legally registered within the state of Missouri and because of the need to avoid
5 unnecessary administrative license plate recalls, the repeal and reenactment of section 301.449 of
6 this act is deemed necessary for the immediate preservation of the public health, welfare, peace and
7 safety, and is hereby declared to be an emergency act within the meaning of the constitution, and the
8 repeal and reenactment of section 301.449 of this act shall be in full force and effect upon its passage
9 and approval."; and

10
11 Further amend said bill by amending the title, enacting clause, and intersectional references
12 accordingly.