

HCS HB 518, 288, 418 & 635 -- HIGHWAY SAFETY

SPONSOR: St. Onge

COMMITTEE ACTION: Voted "do pass" by the Committee on Transportation by a vote of 14 to 0.

This substitute changes the laws regarding highway safety.

HIGHWAY WORK ZONE PROTECTION

"Worker" or "highway worker" is defined as any person who is working in a construction or work zone or any employee of the Department of Transportation working on a state highway or state highway right-of-way.

Any person guilty of a moving violation within a construction or work zone for the first offense will be subject to a \$35 fine and \$75 for a second or subsequent violation. A fine for speeding in a construction or work zone will be \$250 for the first offense and \$350 for a second or subsequent violation. Passing in a zone will be a class C misdemeanor. The bill establishes the crime of endangerment of a highway worker and specifies the circumstances.

A surcharge must be assessed on all traffic violations in the state. A Work Zone Safety Trust Fund is created for the deposit of the surcharges and other revenues to be used for funding enforcement of all traffic laws in construction or work zones.

PASSING ZONES

A person is prohibited from driving a vehicle across a clearly marked solid yellow center stripe of a roadway, indicating a no passing zone, except when executing a lawful turn, overtaking a vehicle that is traveling at a speed of less than 25 miles per hour, or avoiding debris in the roadway as long as the action does not create a hazard.

HIGHWAY LANE USAGE

The Department of Transportation is allowed to erect signs on highways with three or more lanes to require trucks to only drive in the two right-hand lanes.

CHILD PASSENGER RESTRAINTS

The substitute:

(1) Requires children less than four years of age to be secured in a child passenger restraint system appropriate for the child;

- (2) Requires children four through five years of age to be secured in a child passenger restraint system or booster seat;
- (3) Requires children at least six years of age to be secured by a vehicle safety belt, child passenger restraint system, or booster seat;
- (4) Allows children weighing more than 40 pounds, who would otherwise be required to be secured in a booster seat, to be transported in the back seat of a vehicle while wearing only a lap belt if the back seat of the motor vehicle is not equipped with a combination lap and shoulder belt for booster seat installation;
- (5) Requires car rental agencies doing business in Missouri to inform customers of the requirements of the substitute and to provide for the rental of an appropriate child passenger restraint system;
- (6) Exempts public carriers for hire or school buses; and
- (7) Requires the Department of Public Safety to develop a public information program to ensure compliance with the child passenger restraint laws.

A violation of child passenger restraints and safety belts is an infraction and punishable by a fine of not more than \$25 plus court costs with no points assessed against an person. The charges against any person receiving a citation for a child restraint violation will be dismissed or withdrawn if the person provides prior to or at a hearing evidence of the acquisition of a child passenger restraint system or child booster seat which is satisfactory to the court or the prosecutor.

ABANDONED VEHICLES

Law enforcement officers may authorize a towing company to immediately move any vehicle left unattended on any interstate highway or freeway in an urbanized area. Currently, a vehicle must be abandoned for at least four hours.

The substitute has an effective date of January 1, 2006.

FISCAL NOTE: Estimated Effect on General Revenue Fund of a Cost of Less than \$100,000 to an Income of Unknown in FY 2006, FY 2007, and FY 2008. Estimated Cost on Other State Funds of \$0 to \$147,546 in FY 2006, \$0 in FY 2007, and \$0 in FY 2008.

PROPONENTS: Supporters say that employees in a highway work zone and young children riding in motor vehicles must be better

protected.

Testifying for HB 518 were Representative St. Onge; Department of Transportation; Missouri Labor Union; Highways and Transportation Employees' Association; Scott Banes, injured highway worker; Tom Rea Kamper; State Highway Patrol; and Associated General Contractors of Missouri. Testifying for HB 418 were Representative Threkeld on behalf of Representative Dusenbury; St. John's Hospital; Children's Mercy Hospital; Missouri Safety Council; Division of Highway Safety; State Farm Insurance; and Missouri Insurance Coalition. Testifying for HB 288 were Representative Fraser; Missouri Safety Council; Division of Highway Safety; State Farm Insurance; Cardinal Glennon Hospital; Missouri Hospital Association; St. John's Hospital; and Children's Mercy Hospital and Clinics. Testifying for HB 635 were Representative St. Onge; and State Highway Patrol.

OPPONENTS: There was no opposition voiced to the committee.

Robert Triplett, Legislative Analyst