

SECOND REGULAR SESSION
[TRULY AGREED TO AND FINALLY PASSED]
SENATE SUBSTITUTE FOR

HOUSE BILL NO. 1733

98TH GENERAL ASSEMBLY

5123S.04T

2016

AN ACT

To repeal sections 301.067, 302.276, 304.022, 304.044, 304.170, and 307.175, RSMo, section 577.060 as enacted by senate bill no. 491, ninety-seventh general assembly, second regular session, and section 577.060 as enacted by house bill no. 3, eighty-fifth general assembly, first extraordinary session, and to enact in lieu thereof eight new sections relating to the regulation of vehicles, with penalty provisions.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Sections 301.067, 302.276, 304.022, 304.044, 304.170, and 307.175, RSMo, section 577.060 as enacted by senate bill no. 491 ninety-seventh general assembly, second regular session, and section 577.060 as enacted by house bill no. 3, eighty-fifth general assembly, first extraordinary session, are repealed and eight new sections enacted in lieu thereof, to be known as sections 301.067, 302.276, 304.005, 304.022, 304.044, 304.170, 307.175, and 577.060, to read as follows:

301.067. 1. For each trailer or semitrailer there shall be paid an annual fee of seven dollars fifty cents, and in addition thereto such permit fee authorized by law against trailers used in combination with tractors operated under the supervision of the [motor carrier and railroad safety division] **highways and transportation commission** of the department of [economic development] **transportation**. The fees for tractors used in any combination with trailers or semitrailers or both trailers and semitrailers (other than on passenger-carrying trailers or semitrailers) shall be computed on the total gross weight of the vehicles in the combination with load.

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

9 2. Any trailer or semitrailer may at the option of the registrant be registered for a period
10 of three years upon payment of a registration fee of twenty-two dollars and fifty cents.

11 3. Any trailer as defined in section 301.010 or semitrailer [which is operated coupled to
12 a towing vehicle by a fifth wheel and kingpin assembly or by a trailer converter dolly] may, at
13 the option of the registrant, be registered permanently upon the payment of a registration fee of
14 fifty-two dollars and fifty cents. The permanent plate and registration fee is vehicle specific.
15 The plate and the registration fee paid is nontransferable and nonrefundable, except those
16 covered under the provisions of section 301.442.

 302.276. 1. If the director of the department of revenue receives notification of a failed
2 drug, alcohol or chemical test pursuant to section 302.275 and the director makes a determination
3 that such test was failed, then the director shall suspend the school bus [permit] **endorsement**,
4 issued pursuant to section 302.272 of such person for a period of one year from the date the
5 determination is made. Any person who operates a school bus, as defined in section 301.010,
6 after having the person's [permit] **endorsement** suspended pursuant to this section shall be
7 punished in accordance with section 302.321.

8 **2. Upon a second suspension or revocation of the license or driving privilege of a**
9 **school bus endorsement holder for any reason the director of the department of revenue**
10 **shall revoke the school bus endorsement, issued pursuant to section 302.272, of such**
11 **person. Such driver shall not be eligible for any future school bus endorsement.**

 304.005. 1. **As used in this section, the term "autocycle" means a three-wheeled**
2 **motor vehicle on which the drivers and passengers ride in a completely enclosed, tandem**
3 **seating area that is equipped with airbag protection, a roll cage, safety belts for each**
4 **occupant, and antilock brakes, and that is designed to be controlled with a steering wheel**
5 **and pedals.**

6 **2. Notwithstanding subsection 2 of section 302.020, a person operating or riding in**
7 **an autocycle shall not be required to wear protective headgear if the vehicle is equipped**
8 **with a roof that meets or exceeds the standards established for protective headgear.**

9 **3. No person shall operate an autocycle on any highway or street in this state unless**
10 **the person has a valid driver's license. The operator of an autocycle, however, shall not be**
11 **required to obtain a motorcycle or motortricycle license or endorsement under sections**
12 **302.010 to 302.340.**

 304.022. 1. Upon the immediate approach of an emergency vehicle giving audible signal
2 by siren or while having at least one lighted lamp exhibiting red light visible under normal
3 atmospheric conditions from a distance of five hundred feet to the front of such vehicle or a
4 flashing blue light authorized by section 307.175, the driver of every other vehicle shall yield the
5 right-of-way and shall immediately drive to a position parallel to, and as far as possible to the

6 right of, the traveled portion of the highway and thereupon stop and remain in such position until
7 such emergency vehicle has passed, except when otherwise directed by a police or traffic officer.

8 2. Upon approaching a stationary emergency vehicle displaying lighted red or red and
9 blue lights, [or] a stationary vehicle owned by the state highways and transportation commission
10 and operated by an authorized employee of the department of transportation **or a stationary**
11 **vehicle owned by a contractor or subcontractor performing work for the department of**
12 **transportation** displaying lighted amber [or] , amber and white lights, **or red and blue lights,**
13 **or a stationary vehicle operated by a utility worker, as defined in section 565.081,**
14 **displaying lighted amber or amber and white light,** the driver of every motor vehicle shall:

15 (1) Proceed with caution and yield the right-of-way, if possible with due regard to safety
16 and traffic conditions, by making a lane change into a lane not adjacent to that of the stationary
17 vehicle, if on a roadway having at least four lanes with not less than two lanes proceeding in the
18 same direction as the approaching vehicle; or

19 (2) Proceed with due caution and reduce the speed of the vehicle, maintaining a safe
20 speed for road conditions, if changing lanes would be unsafe or impossible.

21 3. The motorman of every streetcar shall immediately stop such car clear of any
22 intersection and keep it in such position until the emergency vehicle has passed, except as
23 otherwise directed by a police or traffic officer.

24 4. An "emergency vehicle" is a vehicle of any of the following types:

25 (1) A vehicle operated by the state highway patrol, the state water patrol, the Missouri
26 capitol police, a conservation agent, or a state park ranger, those vehicles operated by
27 enforcement personnel of the state highways and transportation commission, police or fire
28 department, sheriff, constable or deputy sheriff, federal law enforcement officer authorized to
29 carry firearms and to make arrests for violations of the laws of the United States, traffic officer
30 or coroner or by a privately owned emergency vehicle company;

31 (2) A vehicle operated as an ambulance or operated commercially for the purpose of
32 transporting emergency medical supplies or organs;

33 (3) Any vehicle qualifying as an emergency vehicle pursuant to section 307.175;

34 (4) Any wrecker, or tow truck or a vehicle owned and operated by a public utility or
35 public service corporation while performing emergency service;

36 (5) Any vehicle transporting equipment designed to extricate human beings from the
37 wreckage of a motor vehicle;

38 (6) Any vehicle designated to perform emergency functions for a civil defense or
39 emergency management agency established pursuant to the provisions of chapter 44;

40 (7) Any vehicle operated by an authorized employee of the department of corrections
41 who, as part of the employee's official duties, is responding to a riot, disturbance, hostage

42 incident, escape or other critical situation where there is the threat of serious physical injury or
43 death, responding to mutual aid call from another criminal justice agency, or in accompanying
44 an ambulance which is transporting an offender to a medical facility;

45 (8) Any vehicle designated to perform hazardous substance emergency functions
46 established pursuant to the provisions of sections 260.500 to 260.550; [or]

47 (9) Any vehicle owned by the state highways and transportation commission and
48 operated by an authorized employee of the department of transportation that is marked as a
49 department of transportation emergency response or motorist assistance vehicle; **or**

50 **(10) Any vehicle owned and operated by the civil support team of the Missouri**
51 **National Guard while in the response to or during operations involving chemical,**
52 **biological, or radioactive materials or in support of official requests from the state of**
53 **Missouri involving unknown substances, hazardous materials, or as may be requested by**
54 **the appropriate state agency acting on behalf of the governor.**

55 5. (1) The driver of any vehicle referred to in subsection 4 of this section shall not sound
56 the siren thereon or have the front red lights or blue lights on except when such vehicle is
57 responding to an emergency call or when in pursuit of an actual or suspected law violator, or
58 when responding to, but not upon returning from, a fire.

59 (2) The driver of an emergency vehicle may:

60 (a) Park or stand irrespective of the provisions of sections 304.014 to 304.025;

61 (b) Proceed past a red or stop signal or stop sign, but only after slowing down as may be
62 necessary for safe operation;

63 (c) Exceed the prima facie speed limit so long as the driver does not endanger life or
64 property;

65 (d) Disregard regulations governing direction of movement or turning in specified
66 directions.

67 (3) The exemptions granted to an emergency vehicle pursuant to subdivision (2) of this
68 subsection shall apply only when the driver of any such vehicle while in motion sounds audible
69 signal by bell, siren, or exhaust whistle as may be reasonably necessary, and when the vehicle
70 is equipped with at least one lighted lamp displaying a red light or blue light visible under normal
71 atmospheric conditions from a distance of five hundred feet to the front of such vehicle.

72 6. No person shall purchase an emergency light as described in this section without
73 furnishing the seller of such light an affidavit stating that the light will be used exclusively for
74 emergency vehicle purposes.

75 7. Violation of this section shall be deemed a class A misdemeanor.

304.044. 1. The following terms as used in this section shall mean:

2 (1) "Bus", any vehicle or motor car designed and used for the purpose of carrying more
3 than seven persons;

4 (2) "Truck", any vehicle, machine, tractor, trailer or semitrailer, or any combination
5 thereof, propelled or drawn by mechanical power and designed or used in the transportation of
6 property upon the highways.

7 2. The driver of any truck or bus, when traveling upon a public highway of this state
8 outside of a business or residential district, shall not follow within three hundred feet of another
9 such vehicle; provided, the provisions of this section shall not be construed to prevent the
10 overtaking and passing, by any such truck or bus, of another similar vehicle.

11 3. Any person who shall violate the provisions of this section shall be deemed guilty of
12 a class C misdemeanor, and upon conviction thereof shall be punished accordingly.

13 **4. This section and section 304.017 shall not apply to a connected vehicle technology**
14 **testing program that uses networked wireless communication among vehicles,**
15 **infrastructure, or communications devices. Any connected vehicle technology testing**
16 **program shall be limited to the operation of trucks on the public highways of this state and**
17 **shall be approved by the state highways and transportation commission before such**
18 **technology shall be used in Missouri. Any connected vehicle technology testing program**
19 **shall be further limited to operating multiple or single pairs of no more than two vehicles**
20 **in a single convoy or formation.**

21 **5. The highways and transportation commission is authorized to promulgate**
22 **administrative rules that are reasonable and necessary to approve and implement a**
23 **connected vehicle technology testing program. Any rule or portion of a rule, as that term**
24 **is defined in section 536.010, that is created under the authority delegated in this section**
25 **shall become effective only if it complies with and is subject to all of the provisions of**
26 **chapter 536 and, if applicable, section 536.028. This section and chapter 536 are**
27 **nonseverable, and if any of the powers vested with the general assembly pursuant to**
28 **chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are**
29 **subsequently held unconstitutional, then the grant of rulemaking authority and any rule**
30 **proposed or adopted after August 28, 2016, shall be invalid and void.**

31 **6. Pursuant to section 23.253, of the Missouri sunset act:**

32 **(1) The provisions of the connected vehicle technology testing program authorized**
33 **under subsections 4 and 5 of this section shall automatically sunset six years after the**
34 **effective date of this section unless reauthorized by an act of the general assembly; and**

35 **(2) If such program is reauthorized, the connected vehicle technology testing**
36 **program authorized under subsections 4 and 5 of this section shall automatically sunset**
37 **twelve years after the effective date of the reauthorization of this section; and**

38 **(3) Subsections 4 and 5 of this section shall terminate on September first of the**
39 **calendar year immediately following the calendar year in which the connected vehicle**
40 **technology testing program authorized under subsections 4 and 5 of this section is sunset.**

304.170. 1. No vehicle operated upon the highways of this state shall have a width,
2 including load, in excess of one hundred two inches, except clearance lights, rearview mirrors
3 or other accessories required by federal, state or city law or regulation. Provided however, a
4 recreational vehicle as defined in section 700.010 may exceed the foregoing width limits if the
5 appurtenances on such recreational vehicle extend no further than the rearview mirrors. Such
6 mirrors may only extend the distance necessary to provide the required field of view before the
7 appurtenances were attached.

8 2. No vehicle operated upon the interstate highway system or upon any route designated
9 by the chief engineer of the state transportation department shall have a height, including load,
10 in excess of fourteen feet. On all other highways, no vehicle shall have a height, including load,
11 in excess of thirteen and one-half feet, except that any vehicle or combination of vehicles
12 transporting automobiles or other motor vehicles may have a height, including load, of not more
13 than fourteen feet.

14 3. No single motor vehicle operated upon the highways of this state shall have a length,
15 including load, in excess of forty-five feet, except as otherwise provided in this section.

16 4. No bus, recreational motor vehicle or trackless trolley coach operated upon the
17 highways of this state shall have a length in excess of forty-five feet, except that such vehicles
18 may exceed the forty-five feet length when such excess length is caused by the projection of a
19 front safety bumper or a rear safety bumper or both, **and such buses may exceed forty-five**
20 **length but not have a length in excess of sixty feet when such buses are articulated buses,**
21 **having two or more sections connected by a flexible joint or other mechanism.** Such safety
22 bumper shall not cause the length of the bus or recreational motor vehicle to exceed the forty-five
23 feet length limit by more than one foot in the front and one foot in the rear. **Notwithstanding**
24 **the foregoing or any other provision of this section, an articulated bus comprised of two**
25 **sections may be up to sixty feet in length, not including safety bumpers which may extend**
26 **one foot in the front and one foot in the rear.** The term "safety bumper" means any device
27 which may be fitted on an existing bumper or which replaces the bumper and is so constructed,
28 treated, or manufactured that it absorbs energy upon impact.

29 5. No combination of truck-tractor and semitrailer or truck-tractor equipped with
30 dromedary and semitrailer operated upon the highways of this state shall have a length, including
31 load, in excess of sixty feet; except that in order to comply with the provisions of Title 23 of the
32 United States Code (Public Law 97-424), no combination of truck-tractor and semitrailer or
33 truck-tractor equipped with dromedary and semitrailer operated upon the interstate highway

34 system of this state shall have an overall length, including load, in excess of the length of the
35 truck-tractor plus the semitrailer or truck-tractor equipped with dromedary and semitrailer. The
36 length of such semitrailer shall not exceed fifty-three feet.

37 6. In order to comply with the provisions of Title 23 of the United States Code (Public
38 Law 97-424), no combination of truck-tractor, semitrailer and trailer operated upon the interstate
39 highway system of this state shall have an overall length, including load, in excess of the length
40 of the truck-tractor plus the semitrailer and trailer, neither of which semitrailer or trailer shall
41 exceed twenty-eight feet in length, except that any existing semitrailer or trailer up to
42 twenty-eight and one-half feet in length actually and lawfully operated on December 1, 1982,
43 within a sixty-five foot overall length limit in any state, may continue to be operated upon the
44 interstate highways of this state. On those primary highways not designated by the state
45 highways and transportation commission as provided in subsection 10 of this section, no
46 combination of truck-tractor, semitrailer and trailer shall have an overall length, including load,
47 in excess of sixty-five feet; provided, however, the state highways and transportation commission
48 may designate additional routes for such sixty-five foot combinations.

49 7. Automobile transporters, boat transporters, truck-trailer boat transporter combinations,
50 stinger-steered combination automobile transporters and stinger-steered combination boat
51 transporters having a length not in excess of seventy-five feet may be operated on the interstate
52 highways of this state and such other highways as may be designated by the highways and
53 transportation commission for the operation of such vehicles plus a distance not to exceed ten
54 miles from such interstate or designated highway. All length provisions regarding automobile
55 or boat transporters, truck-trailer boat transporter combinations and stinger-steered combinations
56 shall include a semitrailer length not to exceed fifty-three feet and are exclusive of front and rear
57 overhang, which shall be no greater than a three-foot front overhang and no greater than a
58 four-foot rear overhang.

59 8. Driveaway saddlemount combinations having a length not in excess of ninety-seven
60 feet may be operated on the interstate highways of this state and such other highways as may be
61 designated by the highways and transportation commission for the operation of such vehicles
62 plus a distance not to exceed ten miles from such interstate or designated highway. Saddlemount
63 combinations must comply with the safety requirements of Section 393.71 of Title 49 of the
64 Code of Federal Regulations and may contain no more than three saddlemounted vehicles and
65 one fullmount.

66 9. No truck-tractor semitrailer-semitrailer combination vehicles operated upon the
67 interstate and designated primary highway system of this state shall have a semitrailer length in
68 excess of twenty-eight feet or twenty-eight and one-half feet if the semitrailer was in actual and
69 lawful operation in any state on December 1, 1982, operating in a truck-tractor

70 semitrailer-semitrailer combination. The B-train assembly is excluded from the measurement
71 of semitrailer length when used between the first and second semitrailer of a truck-tractor
72 semitrailer-semitrailer combination, except that when there is no semitrailer mounted to the
73 B-train assembly, it shall be included in the length measurement of the semitrailer.

74 10. The highways and transportation commission is authorized to designate routes on
75 the state highway system other than the interstate system over which those combinations of
76 vehicles of the lengths specified in subsections 5, 6, 7, 8 and 9 of this section may be operated.
77 Combinations of vehicles operated under the provisions of subsections 5, 6, 7, 8 and 9 of this
78 section may be operated at a distance not to exceed ten miles from the interstate system and such
79 routes as designated under the provisions of this subsection.

80 11. Except as provided in subsections 5, 6, 7, 8, 9 and 10 of this section, no other
81 combination of vehicles operated upon the primary or interstate highways of this state plus a
82 distance of ten miles from a primary or interstate highway shall have an overall length, unladen
83 or with load, in excess of sixty-five feet or in excess of fifty-five feet on any other highway,
84 except the state highways and transportation commission may designate additional routes for use
85 by sixty-five foot combinations, seventy-five foot stinger-steered combinations or seventy-five
86 foot saddlemount combinations. Any vehicle or combination of vehicles transporting
87 automobiles, boats or other motor vehicles may carry a load which extends no more than three
88 feet beyond the front and four feet beyond the rear of the transporting vehicle or combination of
89 vehicles.

90 12. (1) Except as hereinafter provided, these restrictions shall not apply to agricultural
91 implements operating occasionally on the highways for short distances including tractor parades
92 for fund-raising activities or special events, provided the tractors are driven by licensed drivers
93 during daylight hours only and with the approval of the superintendent of the Missouri state
94 highway patrol; or to self-propelled hay-hauling equipment or to implements of husbandry, or
95 to the movement of farm products as defined in section 400.9-102 or to vehicles temporarily
96 transporting agricultural implements or implements of husbandry or road-making machinery, or
97 road materials or towing for repair purposes vehicles that have become disabled upon the
98 highways; or to implement dealers delivering or moving farm machinery for repairs on any state
99 highway other than the interstate system.

100 (2) Implements of husbandry and vehicles transporting such machinery or equipment and
101 the movement of farm products as defined in section 400.9-102 may be operated occasionally
102 for short distances on state highways when operated between the hours of sunrise and sunset by
103 a driver licensed as an operator or chauffeur.

104 13. As used in this chapter the term "implements of husbandry" means all self-propelled
105 machinery operated at speeds of less than thirty miles per hour, specifically designed for, or

106 especially adapted to be capable of, incidental over-the-road and primary offroad usage and used
107 exclusively for the application of commercial plant food materials or agricultural chemicals, and
108 not specifically designed or intended for transportation of such chemicals and materials.

109 14. Sludge disposal units may be operated on all state highways other than the interstate
110 system. Such units shall not exceed one hundred thirty-eight inches in width and may be
111 equipped with over-width tires. Such units shall observe all axle weight limits. The chief
112 engineer of the state transportation department shall issue special permits for the movement of
113 such disposal units and may by such permits restrict the movements to specified routes, days and
114 hours.

307.175. 1. Motor vehicles and equipment which are operated by any member of an
2 organized fire department, ambulance association, or rescue squad, whether paid or volunteer,
3 may be operated on streets and highways in this state as an emergency vehicle under the
4 provisions of section 304.022 while responding to a fire call or ambulance call or at the scene
5 of a fire call or ambulance call and while using or sounding a warning siren and using or
6 displaying thereon fixed, flashing or rotating blue lights, but sirens and blue lights shall be used
7 only in bona fide emergencies.

8 **2. Motor vehicles and equipment owned by the state highways and transportation**
9 **commission or contractor or subcontractor performing work for the department of**
10 **transportation may use or display thereon fixed, flashing, or rotating red or blue lights, but**
11 **red or blue lights shall be used only while such vehicle is stationary in a work zone, as**
12 **defined in section 304.580, when highway workers, as defined in section 304.580, are**
13 **present.**

14 3. Permits for the operation of such vehicles equipped with sirens or blue lights shall be
15 in writing and shall be issued and may be revoked by the chief of an organized fire department,
16 organized ambulance association, [or] rescue squad, **or the state highways and transportation**
17 **commission** and no person shall use or display a siren or blue lights on a motor vehicle, fire,
18 ambulance, or rescue equipment without a valid permit authorizing the use. A permit to use a
19 siren or lights as heretofore set out does not relieve the operator of the vehicle so equipped with
20 complying with all other traffic laws and regulations. Violation of this section constitutes a class
21 A misdemeanor.

577.060. 1. A person commits the offense of leaving the scene of an accident when:

2 (1) Being the operator of a vehicle or a vessel involved in an accident resulting in injury
3 or death or damage to property of another person; and

4 (2) Having knowledge of such accident he or she leaves the place of the injury, damage
5 or accident without stopping and giving the following information to the other party or to a law

6 enforcement officer, or if no law enforcement officer is in the vicinity, then to the nearest law
7 enforcement agency:

8 (a) His or her name;

9 (b) His or her residence, including city and street number;

10 (c) The registration or license number for his or her vehicle or vessel; and

11 (d) His or her operator's license number, if any.

12 2. For the purposes of this section, all law enforcement officers shall have jurisdiction,
13 when invited by an injured person, to enter the premises of any privately owned property for the
14 purpose of investigating an accident and performing all necessary duties regarding such accident.

15 3. The offense of leaving the scene of an accident is:

16 (1) A class A misdemeanor; [or]

17 (2) A class E felony if:

18 (a) Physical injury was caused to another party; or

19 (b) Damage in excess of one thousand dollars was caused to the property of another
20 person; or

21 (c) The defendant has previously been found guilty of any offense committed in another
22 jurisdiction which, if committed in this state, would be a violation of an offense in this section;

23 **or**

24 **(3) A class D felony if a death has occurred as a result of the accident.**

25 4. A law enforcement officer who investigates or receives information of an accident
26 involving an all-terrain vehicle and also involving the loss of life or serious physical injury shall
27 make a written report of the investigation or information received and such additional facts
28 relating to the accident as may come to his or her knowledge, mail the information to the
29 department of public safety, and keep a record thereof in his or her office.

30 5. The provisions of this section shall not apply to the operation of all-terrain vehicles
31 when property damage is sustained in sanctioned all-terrain vehicle races, derbies and rallies.

577.060. 1. A person commits the crime of leaving the scene of a motor vehicle accident
2 when being the operator or driver of a vehicle on the highway or on any publicly or privately
3 owned parking lot or parking facility generally open for use by the public and knowing that an
4 injury has been caused to a person or damage has been caused to property, due to his culpability
5 or to accident, he leaves the place of the injury, damage or accident without stopping and giving
6 his name, residence, including city and street number, motor vehicle number and driver's license
7 number, if any, to the injured party or to a police officer, or if no police officer is in the vicinity,
8 then to the nearest police station or judicial officer.

9 2. For the purposes of this section, all peace officers shall have jurisdiction, when invited
10 by an injured person, to enter the premises of any privately owned parking lot or parking facility

11 for the purpose of investigating an accident and performing all necessary duties regarding such
12 accident.

13 3. Leaving the scene of a motor vehicle accident is a class A misdemeanor, except that
14 it shall be:

15 **(1)** A class D felony if the accident resulted in:

16 [(1)] **(a)** Physical injury to another party; [or]

17 [(2)] **(b)** Property damage in excess of one thousand dollars; or

18 [(3)] **(c)** If the defendant has previously pled guilty to or been found guilty of a violation
19 of this section; **or**

20 **(2)** A class C felony if a death has occurred as a result of the accident.

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