

SS #3 SCS HB 1963 -- TRANSPORTATION

This bill modifies provisions relating to transportation.

REMOTE DRIVER'S LICENSE RENEWALS (Section 32.300, RSMo)

This bill authorizes the Department of Revenue to design and implement a remote driver's license renewal system accessible through the department's Internet website connection or through one or more self-service terminals located within the state. The system shall comply with federal law as specified in the bill.

Drivers may apply for no more than one consecutive renewal remotely, and shall apply within six months before or after the license expires as required for conventional renewal.

Applicants for remote renewal shall not be required to complete the highway sign recognition test unless the department has technology allowing the test to be conducted remotely. In lieu of the current vision test requirement, applicants for remote renewal shall certify under penalty of law that their vision satisfies the legal requirements and that they have undergone an eye exam in the last 12 months. The applicant shall authorize the exchange of relevant medical information as provided in the bill, and shall be at least 21 years of age but not more than 50 years of age. The applicant's ophthalmologist or optometrist shall have 4 business days to confirm or deny the vision and medical information of the applicant, and if no response is received within the time allotted, the department shall accept the information provided by the applicant.

QUALIFIED AIR FREIGHT FORWARDERS (Section 143.441)

This bill adds "qualified air freight forwarders", as defined in the bill, to the definition of "corporation" as a transportation corporation for the purposes of corporate income allocation.

LEASE OR RENTAL COMPANIES (Section 143.441)

This bill provides that registered fleet owners of rental or lease motor vehicles, rather than vehicle lease or rental companies, shall post a bond with the Department of Revenue upon applying for a license to operate.

TAXATION OF AVIATION JET FUEL (Section 144.805)

Currently, a sales tax exemption for aviation jet fuel is used by common carriers engaged in the interstate air transportation of passengers and cargo, with the exemption set to expire on December

31, 2023. This bill extends the expiration date until December 31, 2033.

BILL GRIGSBY MEMORIAL HIGHWAY (Section 227.476)

This bill designates the portion of State Highway 9 from Nodaway Street to Park College Entrance Drive in Platte County as "Bill Grigsby Memorial Highway".

TUBE TRANSPORT SYSTEMS (Section 227.600)

This bill modifies the Missouri Public-Private Partnerships Transportation Act to authorize the Missouri Highways and Transportation Commission to form a public-private partnership to construct a "tube transport system", as defined in the bill. The power of eminent domain shall not apply to a tube transport system. No funds from the Constitutional State Road Fund shall be used for the financing, development, or operation of a tube transport system. Under no circumstances will a public right-of-way necessary for the expansion of Interstate 70 be materially impeded by or transferred to a public-private partnership for the purpose of constructing a tube transport system. The provisions of a tube transport system authorized under the bill will sunset on August 28, 2025, unless reauthorized by the General Assembly in subsequent 5-year periods.

POLICE OFFICER CHRISTOPHER RYAN MORTON MEMORIAL HIGHWAY (Section 227.803)

This bill designates the portion of State Highway 7 from County Road 221 West continuing to Calvird Drive in the city of Clinton in Henry County as "Police Officer Christopher Ryan Morton Memorial Highway".

POLICE OFFICER GARY LEE MICHAEL, JR. MEMORIAL HIGHWAY (Section 227.804)

This bill designates the portion of State Highway 13 from State Highway 52 West continuing to Calvird Drive in the city of Clinton in Henry County as "Police Officer Gary Lee Michael, Jr. Memorial Highway".

COMPOSITION OF OFF-HIGHWAY VEHICLES

This bill modifies the definitions of certain off-highway vehicles.

The bill provides that in addition to the other requirements specified in the definition, a vehicle need only meet the seating and handlebar requirements "or" the maximum width requirement to

meet the definition of "all-terrain vehicle", and specifies that the width shall be measured from the outsides of the tire rims.

Certain definitions, specifying that the vehicles are equipped with low-pressure tires, are amended to instead specify that the vehicles are equipped with "nonhighway" tires. These definitions are also modified to specify a maximum weight of 1,500 pounds rather than 600 pounds, (Sections 300.010(2), 407.815(2), and 407.1025(2)) or rather than 1,000 pounds (Section 577.001(3)). The enacted definitions of "all-terrain vehicle" are identical to one another.

The bill also modifies the definition of "recreational off-highway vehicle" by specifying a maximum width of 80 inches, rather than 67 inches. The bill also provides that the width shall be measured from the outsides of the tire rims, and specifies a maximum unladen dry weight of 3,500 pounds rather than 2,000 pounds.

Lastly, the definition of "utility vehicle" is modified to specify a maximum width of 80 inches, rather than 67 inches. The bill also provides that the width shall be measured from the outsides of the tire rims, and specifies a maximum unladen dry weight of 3,500 pounds rather than 2,000 pounds (Section 301.010(70)).

MOTOR VEHICLE REGISTRATION PERIODS (Section 301.030)

This bill specifies that fees for the renewal of noncommercial motor vehicle registrations shall be payable no later than the last day of the month that follows the final month of the expired registration period. No renewal penalty shall be assessed, and no violation for expired registration shall be issued, until the second month that follows the expired registration period.

FLEET VEHICLE REGISTRATIONS (Section 301.032)

This bill provides that the registration for fleet vehicles shall be fully payable at the time the license plates are ordered, except that when the plates are ordered after the first month of registration, the fees shall be prorated.

TRANSFER OF MOTOR VEHICLES (Sections 301.140, 301.190, 301.190, 301.210, 301.213, 301.280.1 and 301.560.1)

The bill modifies the definition of "owner" of a vehicle to include a person who has executed a buyer's order or retail installment sales contract with a licensed motor vehicle dealer when there is an immediate right for the buyer to possess the vehicle.

Operation of a motor vehicle with temporary license plates or

license plates transferred from a trade-in shall be legal for no more than 60 days when a dealer sells the vehicle with an agreement for the delayed transfer of title as provided in the bill (Section 301.140).

Vehicle owners obtaining a vehicle as specified in the bill shall apply for a certificate of title within 30 days of receiving title from the dealer (Sections 301.190.1 and 301.190.5).

Under the bill, a vehicle transfer shall be "presumed" fraudulent and void unless the vehicle's title is assigned and passed to the buyer at the time of transfer, or unless the parties have agreed to delayed delivery of title as provided in the bill (Section 301.210.4).

The bill specifies that licensed motor vehicle dealers may deliver a motor vehicle or trailer to a purchaser with a written agreement to pass the certificate of ownership with an assignment to the purchaser within 30 days after delivery (Section 301.210.5).

The agreement shall be in a form prescribed by the Director of the Department of Revenue, shall provide that if the dealer does not pass the assigned certificate of ownership to the purchaser within 30 days, the purchase shall be voidable at the purchaser's option, and the dealer shall re-purchase the vehicle as provided in the bill (Section 301.210.5(1)).

If the vehicle has incurred damages covered by the purchaser's insurance policy and the vehicle is determined to be a total loss, the insurance company may satisfy the claim by transferring all proceeds to the purchaser and recorded lienholders. The purchaser shall not assign insurance policy proceeds without express written permission of the insurer. In conjunction with satisfaction of the claim, if the insurer receives the totaled vehicle but clear title never vests with the purchaser as required, the insurer shall notify the dealer and the dealer shall reimburse the insurer for the salvage value of the vehicle. In exchange, the insurer shall assign its rights back to the dealer. If the dealer does not make payment to the insurer within 15 days of receiving notice, the dealer shall be liable to the insurer for the vehicle's salvage value, actual damages, and applicable court costs in return for the right to acquire title and apply for a salvage title (Section 301.210.5(2)).

As provided in the bill, completion of the requirements of the bill shall constitute sufficient evidence of ownership of the vehicle for all purposes other than a subsequent transfer of ownership. However, the purchaser may use a dealer-supplied copy of the agreement under this bill to transfer ownership of the vehicle to

an insurance company in situations where the vehicle is declared salvage or a total loss as the result of settlement of an insurance claim (Section 301.210.5(3)).

No motor vehicle dealer shall be authorized to sell vehicles in accordance with this bill until the dealer has provided to the Director of the Department of Revenue a bond or irrevocable letter of credit in an amount not less than \$100,000 in lieu of the \$50,000 bond otherwise required to act as a motor vehicle dealer (Section 301.210.5(4)).

This bill also repeals the existing framework for dealers accepting trade-in vehicles subject to existing liens, effective December 31, 2020 (Section 301.213).

Motor vehicle dealers' monthly sales reports submitted to the Department of Revenue shall include vehicles sold during the month in accordance with the bill (Section 301.280.1).

The bill specifies the circumstances under which proceeds from a dealer applicant's bond or irrevocable letter of credit will be paid. In addition to relocating an existing provision regarding bond proceeds, the bill specifies that bond proceeds shall be paid to any buyer or interested lienholder as provided in the bill if the dealer fails to deliver the assigned certificate of ownership as agreed. The Department of Revenue shall release the bond proceeds upon receiving certain documentation and evidence, as specified in the bill, and that the vehicle has been or will be returned by the purchaser as required. Except for ordinary wear and tear or mechanical failures not caused by the purchase, the amount of proceeds paid to the purchaser shall be reduced by an amount equivalent to any damage, abuse, or destruction incurred by the vehicle while in the purchaser's possession. Within 30 days of receiving notice of a claim against bond or irrevocable letter of credit proceeds, the dealer may apply to a court of competent jurisdiction to contest the claim on the bond or letter of credit, including the amount of the claim or any adjustments made for damage, abuse, or destruction incurred (Section 301.560.1(3)).

TITLING OF ABANDONED PROPERTY (Section 301.193)

This bill allows a salvage pool or salvage dealer and dismantler taking possession of a vehicle from an insurer that did not purchase the vehicle through the claims adjustment process, or a used motor vehicle dealer taking possession of a vehicle from a 501(c)(3) tax-exempt organization without negotiable title, to obtain a salvage certificate of title or junking certificate in its name if a vehicle remains unclaimed on the salvage pool's, salvage dealer and dismantler's, or used motor vehicle dealer's premises

for more than 45 days. The salvage pool, salvage dealer and dismantler, or used motor vehicle dealer shall, 45 days prior to applying for title, notify any owners or recorded lienholders of the vehicle of the salvage pool's, salvage dealer and dismantler's, or used motor vehicle dealer's intent to apply for title if the vehicle is not removed from their premises.

The application for title shall be on a form provided by the Department of Revenue, signed under penalty of perjury, and accompanied by a statement explaining how the salvage pool, salvage dealer and dismantler, or used motor vehicle dealer came to possess the property, a vehicle description as specified in the bill, the current location of the property, a title application fee as required by law, a copy of the 45-day notice and certified mail receipts or proof of delivery by a courier, and, if the vehicle is not currently titled in the state, a law enforcement inspection report.

Upon receipt of the application and required documents, the Director of the Department of Revenue shall verify the names and addresses of any owners and lienholders. If the director identifies any additional owner or lienholder who has not been notified, the salvage pool, salvage dealer and dismantler, or used motor vehicle dealer shall notify the owners or lienholders in accordance with the bill. Thereafter, if no valid lienholders have notified the department of the existence of a lien, the department shall issue a salvage title or junking certificate in the name of the salvage pool, salvage dealer and dismantler, or used motor vehicle dealer.

This bill also enacts provisions allowing insurers that purchase vessels or watercraft through the claims adjustment process to apply for a certificate of title in the same manner that insurers that purchase vehicles currently titled in the state through the claims adjustment process apply for a salvage title or junking certificate. An insurer purchasing a vessel or watercraft through the claims adjustment process for which the insurer is unable to obtain a negotiable title may make application to the Department of Revenue for a certificate of title.

Application shall be made on a form provided by the Department, signed under penalty of perjury, and shall be accompanied by a declaration that the insurer has made at least two written attempts to obtain evidence of title, proof of claims payment from the insurer, evidence that letters were sent to the owner, a statement explaining how the insurer came to possess the property, a description of the vessel or watercraft as specified in the bill, the current location of the property, and a title application fee as required by law. The insurer shall, 45 days prior to applying

for title, notify any owners or lienholders of record for the vessel or watercraft that the insurer intends to apply for title as provided in the bill.

RESPONSIBILITIES OF THE HIGHWAY PATROL (Sections 301.560 and 301.564)

This bill replaces certain references to officers of the State Water Patrol with references to "authorized or designated employees" of the State Highway Patrol.

The bill makes this change in a statute regarding the certification of a boat manufacturer's or boat dealer's bona fide place of business (Section 301.560) and in a statute regarding the inspection of certain documents and records.

MOTOR VEHICLE HISTORY REPORTS (Section 301.576)

This bill provides that motor vehicle dealers shall not be liable for inaccuracies in third-party motor vehicle history reports when the inaccuracy is not based on information provided to the third-party preparer of the report by the dealer. This bill shall not apply if the dealer has actual knowledge of a vehicle's accident, salvage, or service history not reflected on a third-party motor vehicle report, as defined in the bill.

CENTRAL MISSOURI HONOR FLIGHT SPECIAL LICENSE PLATES (Section 301.3069)

This bill establishes a "Central Missouri Honor Flight" special license plate. The plate requires an annual emblem-use fee of \$25, paid to Central Missouri Honor Flight and to be used for financial assistance to transport veterans to Washington D.C. to view veteran memorials, in addition to the \$15 special personalized license plate fee and other requirements and fees as provided by law.

MERITORIOUS SERVICE MEDAL SPECIAL LICENSE PLATES (Section 301.3159)

This bill establishes a "Meritorious Service Medal" special license plate. Applicants shall provide proof of having been awarded the medal as required by the Director of the Department of Revenue. There shall be an additional fee for issuance of the plates equal to the \$15 special personalized license plate fee. Meritorious Service Medal license plates shall not be transferable to any other person, except that any registered co-owner of the motor vehicle shall be entitled to operate the motor vehicle with such plates for the duration of the year licensed in the event of the death of the qualified person.

ASSOCIATION OF MISSOURI ELECTRIC COOPERATIVES SPECIAL LICENSE PLATE
(Section 301.3174)

This bill repeals a restriction on the vehicle types for which the Association of Missouri Electric Cooperatives may approve the use of its logo on special license plates, and directs the Department of Revenue to issue the special plates for non-apportioned vehicles of any classification for which it issues plates.

BACKSTOPPERS SPECIAL LICENSE PLATE (Section 301.3176)

This bill establishes a "BackStoppers" special license plate. Upon making a \$10 contribution to the BackStoppers General Operating Fund or the BackStoppers Education Fund as provided in the bill, a vehicle owner may apply for the plate. Applicants shall also pay a \$15 fee in addition to regular registration fees, but no additional fee shall be charged for the personalization of BackStoppers special license plates.

MOTORCYCLE HELMET LAW (Sections 302.020 and 302.026)

Currently, every person operating or riding a motorcycle or motortricycle is required to wear protective headgear (Sections 302.020 and 302.026). This bill provides that persons under the age of 26 who are operating or riding as a passenger on a motorcycle or motortricycle shall wear a helmet when the vehicle is in motion. Similarly, a person who is 26 or older, operating a motorcycle or motortricycle, and who has been issued an instruction permit shall wear a helmet when the vehicle is in motion. No political subdivision of the state shall impose a protective headgear requirement on the operator or passenger of a motorcycle or motortricycle. No person shall be stopped, inspected, or detained solely to determine compliance with these provisions (Section 302.020.2).

The bill also provides that qualified operators who are 26 or older may operate a motorcycle or motortricycle without a helmet if he or she is covered by a health insurance policy or other form of insurance which will provide the person with medical benefits for injuries incurred as a result of a motorcycle or motortricycle accident. Proof of such coverage shall be provided on request of law enforcement by showing a copy of the qualified operator's insurance card. No person shall be stopped, inspected, or detained solely to determine compliance with these provisions.

REAL ID(Section 302.170)

This bill removes "facial feature pattern characteristics" and "eye spacing" from the definition of biometric data (Section 302.170.1),

repeals the requirement for the department to store retained driver's license application documents on a system isolated from the Internet and to purge the documents from previous systems on which they were stored (Section 302.170.2). The bill also allows the Department of Revenue to retain documents at the request of and for the convenience of an applicant regardless of whether the applicant requests that the department review alternative documents as proof required for issuance of a license (Section 302.170.3(6)), and allows the department to use digital images and license signatures as required for the use of software for purposes of combating fraud (Section 302.170.5). Furthermore, the bill requires a "knowing" standard before a person can be prosecuted for unlawfully accessing or disclosing certain driver's license data (Section 302.170.8), and repeals the expiration date of the authority to comply with the federal REAL ID Act of 2005 (Section 302.170.15).

DRIVER'S LICENSES (Section 302.181)

This bill repeals obsolete references to Social Security numbers, and updates references to film photography to reflect the use of digital images (Section 302.181.1-4).

This bill authorizes the Department of Revenue to design and implement a secure digital driver's license program that allows license applicants to obtain a digital driver's license in addition to a card-based license. The digital license shall be accepted for all purposes for which a card-based license is used. The department may contract with one or more entities to develop the digital driver's license system, and the department or entities may develop a mobile software application capable of being utilized through a person's electronic device to access the person's digital driver's license. The department shall suspend, disable, or terminate a person's participation in the digital driver's license program if the driver's driving privilege is suspended, revoked, denied, withdrawn, or canceled as provided by law, or if the person reports their electronic device has been lost, stolen, or compromised .

MEDICAL ALERT NOTATIONS ON DRIVER'S LICENSES (Section 302.205)

This bill allows for medical alert notations to be placed on driver's licenses and non-driver's identification cards for posttraumatic stress disorder, diabetes, heart conditions, epilepsy, drug allergies, Alzheimer's or dementia, schizophrenia, autism, or other conditions as approved by the Department of Revenue. Persons applying for a medical alert notation shall waive liability for the release of any medical information to the department, anyone eligible for access to such medical information

recorded on a driving record, and any other person who may view or receive notice of the medical information by virtue of having seen the license. The application shall include a space for applicants to obtain a sworn statement from a licensed physician or licensed psychologist verifying the diagnosis.

Individuals who have been issued licenses or identification cards bearing medical alert information may be issued a replacement that does not bear the medical alert information upon payment of the fee applicable to lost licenses or cards. No medical alert information shall be printed on or removed from a license or identification card without the express consent of the licensee, or the licensee's parent or guardian.

COMMERCIAL DRIVER'S LICENSES (Sections 302.720 and 302.723)

This bill provides for a process by which Commercial Driver's License (CDL) applicants with disabilities may request testing accommodations for the written and driving tests, and specifies that the accommodations shall state that a hearing test shall not be required for applicants who are deaf or hard of hearing. These provisions shall be null and void if the United States Secretary of Transportation determines they will result in a loss of federal highway funding.

The bill also specifies that any entity providing training to persons preparing to apply for a CDL shall provide reasonable accommodations for persons who are deaf or hard of hearing. These provisions shall be null and void if the United States Secretary of Transportation determines they or the provisions relating to disabled applicants requesting testing accommodations will result in a loss of federal highway funding.

MOTOR VEHICLE INSURANCE REPORTING (Section 303.026)

This bill repeals an exemption from motor vehicle insurance policy issuance, nonrenewal, and cancellation reporting requirements for insurers with a statistically insignificant number of policies in force (Section 303.026.3(1)), and specifies that the Director may require insurers to provide records of policies issued, canceled, terminated, or revoked as frequently as he or she deems necessary (Section 303.026.3(2)).

MISSOURI AUTOMOBILE INSURANCE PLAN (Section 303.200)

This bill modifies existing law regarding apportionment of substandard insurance risks to create the Missouri Automobile Insurance Plan ("MOAIP"). Under the bill, MOAIP is authorized to issue motor vehicle insurance policies to applicants who are unable

to procure motor vehicle liability policies through ordinary methods, rather than funding issuance of the policies through other insurers. The bill further specifies that the Director of the Department of Commerce and Insurance shall consult with insurance companies "having a certificate of authority to do business in the state and actively writing motor vehicle liability policies" regarding the plan, rather than insurance companies "authorized to issue automobile liability policies" (Section 303.200.1).

MOAIP shall perform its functions under a plan of operation, approved by the director, and through a board of governors as prescribed in the plan of operation (Section 303.200.2). The plan of operation shall prescribe the issuance of motor vehicle insurance policies, which may include the administration of the policies by a third party, as specified in the bill (Section 303.200.3).

The bill requires MOAIP to obtain approval from the director before using forms, rates, or manuals (Section 303.200.4). MOAIP is subject to the applicable insurance laws of this state unless specifically exempted (Section 303.200.5), is required to file annual financial reports and to be subject to examination by the director, and shall have the authority to make assessments on member insurance companies in proportion to their market share (Section 303.200.6). Member insurers and members of the governing committee shall be immune from liability for omissions and actions taken in the performance of their powers and duties under the bill (Section 303.200.7).

VEHICLES TOWING COTTON TRAILERS (Section 304.170)

These provisions exempt vehicles towing trailers specifically designed to carry harvested cotton, with a total length of not more than 93 feet, from certain height, width, and length limitations, provided that the vehicles shall only be used to haul cotton, or to haul hay within the state to areas determined by the National Drought Mitigation Center to be affected by drought.

FIRE PROTECTION VEHICLES (Sections 304.172 and 304.180))

Currently, vehicles used in fire protection are exempted from certain restrictions on height, width, weight, length, and load. This bill repeals the exemption from weight and load restrictions .

The bill instead specifies that emergency vehicles designed to be used under emergency conditions to transport personnel and equipment and to "support the suppression of fires and" mitigate hazardous situations may have a maximum gross vehicle weight of 86,000 pounds as specified in the bill, "except that, such

emergency vehicles shall only operate on the Dwight D. Eisenhower National System of Interstate and Defense Highways".

This bill extends, from December 31, 2022, to December 31, 2032, the sunset date for provisions regarding the issuance of temporary boating safety identification cards.

ABANDONED OR DERELICT AIRCRAFT (Sections 305.802, 305.804, 305.806, 305.808, and 301.810)

This bill specifies that if a derelict or abandoned aircraft is discovered on an airport's property, the airport superintendent shall make a record of the date it was discovered, and inquire with the Federal Aviation Administration or an aircraft title search company as to the owner and any lienholders. The superintendent shall, within 10 days of receiving this information, notify the owner and any interested parties by certified mail of the aircraft's location, what fees and charges have accrued, that the aircraft is subject to an enforceable lien, that the airport may dispose of the aircraft if the owner or interested party does not move the aircraft and pay any accrued costs within 30 days, and that the airport may remove the aircraft in less than 30 days if it poses a danger to health or safety. If the owner of the aircraft can not be determined, the superintendent may post the required notice on the aircraft as specified in the provision (Section 305.802).

If the owner or other interested party does not remove the aircraft within 30 days and pay all accrued costs, or shows reasonable cause for a failure to do so, the superintendent may retain, trade, sell at auction, or dispose of the aircraft as specified in the bill. If the proceeds from sale of the aircraft is less than the fees and charges against it, the owner of the aircraft shall remain liable for the balance due. All expenses for the removal, storage, and sale of the aircraft shall be recoverable against the owner of the aircraft (Section 305.804).

This bill specifies a process for airport superintendents to file liens on derelict or abandoned aircraft (Section 305.806), and for release of the liens upon sale of the aircraft (Sections 305.808 and 301.810).

MUD FLAP REQUIREMENTS (Section 307.015)

This bill raises, from 8 inches to 12 inches, the maximum distance from the ground to which the bottom edge of dump trucks' mud flaps are required to extend.

RECREATION VEHICLE DEALERS (Section 407.1329)

This bill modifies provisions requiring recreation vehicle (RV) manufacturers to repurchase RVs and certain associated items from dealers upon the termination of an RV dealer agreement. In addition to the circumstances already specified by law, the bill provides that the dealer may elect for the manufacturer to repurchase vehicles, parts, and equipment if the dealer voluntarily terminates the agreement in a manner permitted under the agreement, or if the manufacturer terminates or discontinues a franchise by discontinuing a line-make or by ceasing to do business in the state, or if the manufacturer changes the distributor or method of distribution of its products in this state or alters its sales regions or marketing areas within this state in a manner that eliminates or diminishes the dealer's market area.

The bill also replaces repurchase item categories for current model-year RVs, and for prior model year RVs drafted on the dealer's financing source or paid within 120 days prior to the end of the dealer agreement, with a single category consisting of all new untitled RV inventory acquired from the manufacturer in the past 18 months. The new category eliminates the specific requirement that the vehicles have not been used, and provides that the vehicles shall be repurchased at "100% of net invoice cost, including transportation, less applicable rebates and discounts to the dealer", rather than specifying that the repurchase price shall be reduced by the cost to repair any damages not required by law to be disclosed.

The manufacturer shall pay the dealer within 30 days of receipt of all items returned for repurchase as provided by law.

USE OF UNMANNED AIRCRAFT (Sections 217.850, 577.800, and 632.460)

This bill creates the offense of unlawful use of an unmanned aircraft near a correctional center, mental health hospital, or certain open-air facilities, including sports stadiums holding 5,000 or more persons, as defined in the bill. A person commits such offense if he or she operates an unmanned aircraft within a distance of 400 feet of a correctional center, mental health hospital, or open-air facility as specified in the bill or allows an unmanned aircraft to make contact with a correctional center, mental health hospital, or open-air facility, including any person or object on the premises of or within the facility (Sections 217.850, 577.800, and 632.460).

The bill provides exceptions to the offense, including for a law enforcement agency, fire department, or utility company under specified circumstances.

The offense of unlawful use of an unmanned aircraft near a correctional center, mental health hospital, or open-air facility is an infraction unless the person uses the unmanned aircraft for the purpose of:

(1) Delivering a weapon or other article that may be used in such a manner to endanger the life of an offender or correctional center or mental health hospital employee or employee or guest of the open-air facility, in which case it is a class B felony;

(2) Facilitating an escape from confinement, in which case it's a class C felony; or

(3) Delivering a controlled substance, in which case it is a class D felony.

Each correctional center, mental health hospital, or open-air facility shall post a sign of the provisions of the offense. The sign must be at least 11" by 14" and be posted in a conspicuous location.