

House _____ Amendment NO. _____

Offered By

1 AMEND House Committee Substitute for Senate Substitute No. 2 for Senate Bill No. 26, Page 2, Section
2 84.400, Line 14, by inserting after said section and line the following:
3

4 "304.022. 1. Upon the immediate approach of an emergency vehicle giving audible signal by siren
5 or while having at least one lighted lamp exhibiting red light visible under normal atmospheric conditions
6 from a distance of five hundred feet to the front of such vehicle or a flashing blue light authorized by section
7 307.175, the driver of every other vehicle shall yield the right-of-way and shall immediately drive to a
8 position parallel to, and as far as possible to the right of, the traveled portion of the highway and thereupon
9 stop and remain in such position until such emergency vehicle has passed, except when otherwise directed by
10 a police or traffic officer.

11 2. Upon approaching a stationary vehicle displaying lighted red or red and blue lights, or a stationary
12 vehicle displaying lighted amber or amber and white lights, the driver of every motor vehicle shall:

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

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

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

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

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

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

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

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

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

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

38 (7) Any vehicle operated by an authorized employee of the department of corrections who, as part of
39 the employee's official duties, is responding to a riot, disturbance, hostage incident, escape or other critical
40 situation where there is the threat of serious physical injury or death, responding to mutual aid call from

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1 another criminal justice agency, or in accompanying an ambulance which is transporting an offender to a
2 medical facility;

3 (8) Any vehicle designated to perform hazardous substance emergency functions established
4 pursuant to the provisions of sections 260.500 to 260.550;

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

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

12 5. (1) The driver of any vehicle referred to in subsection 4 of this section shall not sound the siren
13 thereon or have the front red lights or blue lights on except when such vehicle is responding to an emergency
14 call or when in pursuit of an actual or suspected law violator, or when responding to, but not upon returning
15 from, a fire.

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

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

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

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

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

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

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

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

30 307.175. 1. Motor vehicles and equipment which are operated by any member of an organized fire
31 department, ambulance association, or rescue squad, whether paid or volunteer, may be operated on streets
32 and highways in this state as an emergency vehicle under the provisions of section 304.022 while responding
33 to a fire call or ambulance call or at the scene of a fire call or ambulance call and while using or sounding a
34 warning siren and using or displaying thereon fixed, flashing or rotating blue lights, but sirens and blue lights
35 shall be used only in bona fide emergencies.

36 2. (1) Notwithstanding subsection 1 of this section, the following vehicles may use or display fixed,
37 flashing, or rotating red or red and blue lights:

38 (a) Emergency vehicles, as defined in section 304.022, when responding to an emergency;

39 (b) Vehicles operated as described in subsection 1 of this section;

40 (c) Vehicles and equipment owned or leased by a contractor or subcontractor performing work for
41 the department of transportation, except that the red or red and blue lights shall be displayed on vehicles or
42 equipment described in this paragraph only between dusk and dawn, when such vehicles or equipment are
43 stationary, such vehicles or equipment are located in a work zone as defined in section 304.580, highway
44 workers as defined in section 304.580 are present, and such work zone is designated by a sign or signs. No
45 more than two vehicles or pieces of equipment in a work zone may display fixed, flashing, or rotating lights
46 under this subdivision;

47 (d) Vehicles and equipment owned, leased, or operated by a coroner, medical examiner, or forensic
48 investigator of the county medical examiner's office or a similar entity, when responding to a crime scene,
49 motor vehicle accident, workplace accident, or any location at which the services of such professionals have
50 been requested by a law enforcement officer.

51 (2) The following vehicles and equipment may use or display fixed, flashing, or rotating amber or
52 amber and white lights:

53 (a) Vehicles and equipment owned or leased by the state highways and transportation commission

1 and operated by an authorized employee of the department of transportation;

2 (b) Vehicles and equipment owned or leased by a contractor or subcontractor performing work for
3 the department of transportation, except that the amber or amber and white lights shall be displayed on
4 vehicles described in this paragraph only when such vehicles or equipment are located in a work zone as
5 defined in section 304.580, highway workers as defined in section 304.580 are present, and such work zone is
6 designated by a sign or signs;

7 (c) Vehicles and equipment operated by a utility worker performing work for the utility, except that
8 the amber or amber and white lights shall be displayed on vehicles described in this paragraph only when
9 such vehicles are stationary, such vehicles or equipment are located in a work zone as defined in section
10 304.580, a utility worker is present, and such work zone is designated by a sign or signs. As used in this
11 paragraph, the term "utility worker" means any employee while in performance of his or her job duties,
12 including any person employed under contract of a utility that provides gas, heat, electricity, water, steam,
13 telecommunications or cable services, or sewer services, whether privately, municipally, or cooperatively
14 owned.

15 3. Permits for the operation of such vehicles equipped with sirens or blue lights shall be in writing
16 and shall be issued and may be revoked by the chief of an organized fire department, organized ambulance
17 association, rescue squad, or the state highways and transportation commission and no person shall use or
18 display a siren or blue lights on a motor vehicle, fire, ambulance, or rescue equipment without a valid permit
19 authorizing the use. A permit to use a siren or lights as heretofore set out does not relieve the operator of the
20 vehicle so equipped with complying with all other traffic laws and regulations. Violation of this section
21 constitutes a class A misdemeanor."; and
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23 Further amend said bill, Page 4, Section 574.085, Line 22, by inserting after said section and line the
24 following:

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26 "574.110. 1. A person commits the offense of using a laser pointer if such person knowingly directs
27 a light from a laser pointer at a uniformed safety officer, including a peace officer as defined under section
28 590.010, security guard, firefighter, emergency medical worker, or other uniformed municipal, state, or
29 federal officer.

30 2. As used in this section, "laser pointer" means a device that emits a visible light amplified by the
31 stimulated emission of radiation.

32 3. The offense of using a laser pointer is a class A misdemeanor."; and
33

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