

SECOND REGULAR SESSION
HOUSE COMMITTEE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 771
92ND GENERAL ASSEMBLY

Reported from the Committee on Transportation and Motor Vehicles, May 4, 2004, with recommendation that the House Committee Substitute for Senate Committee Substitute for Senate Bill No. 771 Do Pass.

STEPHEN S. DAVIS, Chief Clerk

2751L.04C

AN ACT

To repeal section 304.190, RSMo, and to enact in lieu thereof two new sections relating to motor vehicles.

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

Section A. Section 304.190, RSMo, is repealed and two new sections enacted in lieu thereof, to be known as sections 304.029 and 304.190, to read as follows:

304.029. 1. Notwithstanding any other law to the contrary, a low-speed vehicle may be operated upon a highway in the state if it meets the requirements of this section. Every person operating a low-speed vehicle shall be granted all the rights and shall be subject to all the duties applicable to the driver of any other motor vehicle except as to the special regulations in this section and except as to those provisions which by their nature can have no application.

2. The operator of a low-speed vehicle shall observe all traffic laws and local ordinances regarding the rules of the road. A low-speed vehicle shall not be operated on a street or a highway with a posted speed limit greater than thirty-five miles per hour. The provisions of this subsection shall not prohibit a low-speed vehicle from crossing a street or highway with a posted speed limit greater than thirty-five miles per hour.

3. A low-speed vehicle shall be exempt from the requirements of sections 307.350 to 307.402, RSMo, for purposes of titling and registration. Low-speed vehicles shall comply with the standards in 49 C.F.R. 571.500, as amended.

4. Every operator of a low-speed vehicle shall maintain financial responsibility on such low-speed vehicle as required by chapter 303, RSMo, if the low-speed vehicle is to be

17 operated upon the highways of this state.

18 **5. Each person operating a low-speed vehicle on a highway in this state shall**
19 **possess a valid driver's license issued pursuant to chapter 302, RSMo.**

20 **6. For purposes of this section a "low-speed vehicle" shall have the meaning**
21 **ascribed to it in 49 C.F.R., section 571.3, as amended.**

22 **7. All low-speed vehicles shall be manufactured in compliance with the National**
23 **Highway Traffic Safety Administration standards for low-speed vehicles in 49 C.F.R.**
24 **571.500, as amended.**

25 **8. Nothing in this section shall prevent county or municipal governments from**
26 **adopting more stringent local ordinances governing low-speed vehicle operation if the**
27 **governing body of the county or municipality determines that such ordinances are**
28 **necessary in the interest of public safety. The department of transportation may prohibit**
29 **the operation of low-speed vehicles on any highway under its jurisdiction if it determines**
30 **that the prohibition is necessary in the interest of public safety.**

304.190. 1. No motor vehicle, unladen or with load, operating exclusively within the
2 corporate limits of cities containing seventy-five thousand inhabitants or more or within two
3 miles of the corporate limits of the city or within the commercial zone of the city shall exceed
4 fifteen feet in height.

5 2. No motor vehicle operating exclusively within any said area shall have a greater
6 weight than twenty-two thousand four hundred pounds on one axle.

7 3. The "commercial zone" of the city is defined to mean that area within the city together
8 with the territory extending one mile beyond the corporate limits of the city and one mile
9 additional for each fifty thousand population or portion thereof provided, however, the
10 commercial zone surrounding a city not within a county shall extend eighteen miles beyond the
11 corporate limits of any such city not located within a county and shall also extend throughout any
12 first class charter county which adjoins that city; further, provided, however, the commercial
13 zone of a city with a population of at least four hundred thousand inhabitants but not more than
14 four hundred fifty thousand inhabitants shall extend twelve miles beyond the corporate limits of
15 any such city; **except that this zone shall extend from the southern border of such city's**
16 **limits, beginning with the western-most freeway, following said freeway south to the first**
17 **intersection with a multilane undivided highway, where the zone shall extend south along**
18 **said freeway to include a city of the fourth classification with more than eight thousand**
19 **nine hundred but less than nine thousand inhabitants, and shall extend north from the**
20 **intersection of said freeway and multilane undivided highway along the multilane**
21 **undivided highway to the city limits of a city with a population of at least four hundred**
22 **thousand inhabitants but not more than four hundred fifty thousand inhabitants. In no**

23 case shall the commercial zone of a city be reduced due to a loss of population. The provisions
24 of this section shall not apply to motor vehicles operating on the interstate highways in the area
25 beyond two miles of a corporate limit of the city unless the United States Department of
26 Transportation increases the allowable weight limits on the interstate highway system within
27 commercial zones. In such case, the mileage limits established in this section shall be
28 automatically increased only in the commercial zones to conform with those authorized by the
29 United States Department of Transportation.

30 4. Nothing in this section shall prevent a city, county, or municipality, by ordinance,
31 from designating the routes over which such vehicles may be operated.