

SECOND REGULAR SESSION

HOUSE BILL NO. 2321

95TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE FRANZ.

5249L.02I

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To amend chapter 304, RSMo, by adding thereto one new section relating to wrecker rotation lists.

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

Section A. Chapter 304, RSMo, is amended by adding thereto one new section, to be known as section 304.162, to read as follows:

304.162. 1. Notwithstanding any other law, the Missouri highway patrol may use rotation lists when requesting wrecker or towing services for removal of a vehicle from property for reasons listed in section 304.155 or 304.157.

2. The department of public safety may promulgate rules to administer the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2010, shall be invalid and void.

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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.