

HOUSE _____ **AMENDMENT NO.** _____

Offered By

AMEND House Committee Substitute for Senate Bill No. 61, Page 20, Section 301.130, Line 107, by inserting immediately after said line the following:

“304.120. 1. Municipalities, by ordinance, may establish reasonable speed regulations for motor vehicles within the limits of such municipalities. No person who is not a resident of such municipality and who has not been within the limits thereof for a continuous period of more than forty-eight hours, shall be convicted of a violation of such ordinances, unless it is shown by competent evidence that there was posted at the place where the boundary of such municipality joins or crosses any highway a sign displaying in black letters not less than four inches high and one inch wide on a white background the speed fixed by such municipality so that such sign may be clearly seen by operators and drivers from their vehicles upon entering such municipality.

2. Municipalities, by ordinance, may:

(1) Make additional rules of the road or traffic regulations to meet their needs and traffic conditions;

(2) Establish one-way streets and provide for the regulation of vehicles thereon;

(3) Require vehicles to stop before crossing certain designated streets and boulevards;

(4) Limit the use of certain designated streets and boulevards to passenger vehicles, except that each municipality shall allow at least one street, with lawful traffic movement and access from both directions, to be available for use by commercial vehicles to access any roads in the state highway system. Under no circumstances shall the provisions of this subdivision be construed to authorize municipalities to limit the use of all streets in the municipality;

(5) Prohibit the use of certain designated streets to vehicles with metal tires, or solid

1 rubber tires;

2 (6) Regulate the parking of vehicles on streets by the installation of parking meters for
3 limiting the time of parking and exacting a fee therefor or by the adoption of any other regulatory
4 method that is reasonable and practical, and prohibit or control left-hand turns of vehicles;

5 (7) Require the use of signaling devices on all motor vehicles; and

6 (8) Prohibit sound producing warning devices, except horns directed forward.

7 3. No ordinance shall be valid which contains provisions contrary to or in conflict with
8 this chapter, except as herein provided.

9 4. No ordinance shall impose liability on the owner-lessor of a motor vehicle when the
10 vehicle is being permissively used by a lessee and is illegally parked or operated if the registered
11 owner-lessor of such vehicle furnishes the name, address and operator's license number of the
12 person renting or leasing the vehicle at the time the violation occurred to the proper municipal
13 authority within three working days from the time of receipt of written request for such
14 information. Any registered owner-lessor who fails or refuses to provide such information within
15 the period required by this subsection shall be liable for the imposition of any fine established by
16 municipal ordinance for the violation. Provided, however, if a leased motor vehicle is illegally
17 parked due to a defect in such vehicle, which renders it inoperable, not caused by the fault or
18 neglect of the lessee, then the lessor shall be liable on any violation for illegal parking of such
19 vehicle.

20 5. No ordinance shall deny the use of commercial vehicles on all streets within the
21 municipality.”; and
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23 Further amend said substitute, Page 21, Section 523.040, Line 39, by inserting immediately after
24 said line the following:

25 537.293. 1. Notwithstanding any other provision of law, the use of vehicles on a public
26 street or highway in a manner which is legal under state and local law shall not constitute a public

1 or private nuisance, and shall not be the basis of a civil action for public or private nuisance.

2 2. No individual or business entity shall be subject to any civil action in law or equity for
3 a public or private nuisance on the basis of such individual or business entity legally using
4 vehicles on a public street or highway. Any actions by a court in this state to enjoin the use of a
5 public street or highway in violation of this section and any damages awarded or imposed by a
6 court, or assessed by a jury, against an individual or business entity for public or private nuisance
7 in violation of this section shall be null and void.

8 3. Notwithstanding any other provision of law, nothing in this section shall be construed
9 to limit civil liability for compensatory damages arising from physical injury to another human
10 being.”; and

11
12 Further amend said bill by amending the title, enacting clause, and intersectional references
13 accordingly.