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**ORIGINAL**

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0990L02.04F

**HOUSE AMENDMENT NO. \_\_\_\_**

**TO**

**HOUSE AMENDMENT NO. \_\_\_\_**

**Offered By**

*Hough* *140*

1 AMEND House Amendment No. \_\_\_\_\_ to House Committee Substitute for Senate Bill 145,  
2 Page 5, Section 238.235, Line 34, by inserting immediately after said line the following:

3 "Further amend said bill, Page 5, Section 67.319, Line 53, by inserting immediately after  
4 said line the following:

5 "304.120. 1. Municipalities, by ordinance, may establish reasonable speed regulations for  
6 motor vehicles within the limits of such municipalities. No person who is not a resident of such  
7 municipality and who has not been within the limits thereof for a continuous period of more than  
8 forty-eight hours, shall be convicted of a violation of such ordinances, unless it is shown by  
9 competent evidence that there was posted at the place where the boundary of such municipality  
10 joins or crosses any highway a sign displaying in black letters not less than four inches high and  
11 one inch wide on a white background the speed fixed by such municipality so that such sign may  
12 be clearly seen by operators and drivers from their vehicles upon entering such municipality.

13 2. Municipalities, by ordinance, may:

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

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

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

18 (4) Limit the use of certain designated streets and boulevards to passenger vehicles,  
19 except that each municipality shall allow at least one street, with lawful traffic movement and

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Action Taken \_\_\_\_\_ Date \_\_\_\_\_ 1

11/11/2020

1 access from both directions, to be available for use by commercial vehicles to access any roads in  
2 the state highway system. Under no circumstances shall the provisions of this subdivision be  
3 construed to authorize municipalities to limit the use of all streets in the municipality;

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

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

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

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

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

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

24 5. No ordinance shall deny the use of commercial vehicles on all streets within the  
25 municipality.

26 444.771. Notwithstanding any other provision of law to the contrary, the commission and

Action Taken \_\_\_\_\_ Date \_\_\_\_\_ 2



1 the department shall not issue any permits under this chapter or under chapters 643 or 644, RSMo,  
2 to any person whose mine plan boundary is within 1,000 feet of any real property where an  
3 accredited school has been located for at least five years prior to such application for permits  
4 made pursuant to these provisions, except that the provisions of this section shall not apply to any  
5 request for an expansion to an existing mine and/or to any underground mining operation.”; and  
6

7 Further amend said bill, Page 6, Section 488.026, Line 12, by inserting immediately after  
8 said line the following:

9 “537.293. 1. Notwithstanding any other provision of law, the use of vehicles on a public  
10 street or highway in a manner which is legal under state and local law shall not constitute a public  
11 or private nuisance, and shall not be the basis of a civil action for public or private nuisance.

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

18 3. Notwithstanding any other provision of law, nothing in this section shall be construed  
19 to limit civil liability for compensatory damages arising from physical injury to another human  
20 being.”; and”; and  
21

22 Further amend said bill by amending the title, enacting clause, and intersectional references  
23 accordingly.  
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Action Taken \_\_\_\_\_ Date \_\_\_\_\_ 3

