

HOUSE _____ AMENDMENT NO. _____

Offered By

AMEND House Committee Substitute for House Bill No. 430, Page 3, Section 304.120, Line 42,
by inserting after all of said section and line the following:

_____“304.160. 1. Except as provided in subsection 3 of this section, any person who has
purposely, accidentally, or by reason of an accident, dropped any tacks, nails, wire, scrap metal,
glass, crockery, sharp stones, or other substances injurious to the feet of persons or animals, or to
the tires or wheels of vehicles, including motor vehicles, upon any highway shall immediately
make all reasonable efforts to clear the highway of the substances.

2. Violation of subsection 1 of this section shall be deemed a class C misdemeanor.

3. In the event a towing truck company is called to tow or remove disabled vehicles
following an accident, the towing truck operator shall immediately make all reasonable efforts to
clear the highway of any debris. Any towing company that violates this subsection shall be
removed from the rotation list of the law enforcement agency with jurisdiction over the location of
the disabled vehicle as follows:

(1) The first violation of this subsection shall result in a six-month removal;

(2) The second violation of this subsection shall result in a one-year removal;

(3) The third violation of this subsection shall result in a three-year removal;

(4) The fourth and following violations of this subsection shall result in a five-year
removal.

Each law enforcement agency shall provide a procedure by which a towing truck company may
appeal any exclusion or removal from the rotation list.

304.163. 1. Notwithstanding any other law, the Missouri highway patrol and any local
law enforcement agency 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

1 section and chapter 536 are nonseverable and if any of the powers vested with the general
2 assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul
3 a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule
4 proposed or adopted after August 28, 2011, shall be invalid and void.”; and
5

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