

House _____ Amendment NO. _____

Offered By _____

1 AMEND House Committee Substitute for Senate Bill No. 773, Page 15, Section 287.243, Line 120,
2 by inserting immediately after said line the following:

3
4 "304.010. 1. As used in this section, the following terms mean:

5 (1) "Expressway", a divided highway of at least ten miles in length with four or more lanes
6 which is not part of the federal interstate system of highways which has crossovers or accesses from
7 streets, roads or other highways at the same grade level as such divided highway;

8 (2) "Freeway", a limited access divided highway of at least ten miles in length with four or
9 more lanes which is not part of the federal interstate system of highways which does not have any
10 crossovers or accesses from streets, roads or other highways at the same grade level as such divided
11 highway within such ten miles of divided highway;

12 (3) "Rural interstate", that part of the federal interstate highway system that is not located in
13 an urban area;

14 (4) "Urbanized area", an area of fifty thousand population at a density at or greater than one
15 thousand persons per square mile.

16 2. Except as otherwise provided in this section, the uniform maximum speed limits are and
17 no vehicle shall be operated in excess of the speed limits established pursuant to this section:

18 (1) Upon the rural interstates and freeways of this state, [seventy] seventy-five miles per
19 hour;

20 (2) Upon the rural expressways of this state, sixty-five miles per hour;

21 (3) Upon the interstate highways, freeways or expressways within the urbanized areas of this
22 state, sixty miles per hour;

23 (4) All other roads and highways in this state not located in an urbanized area and not
24 provided for in subdivisions (1) to (3) of this subsection, sixty miles per hour;

25 (5) All other roads provided for in subdivision (4) of this subsection shall not include any
26 state two-lane road which is identified by letter. Such lettered roads shall not exceed fifty-five miles
27 per hour unless set at a higher speed as established by the department of transportation, except that
28 no speed limit shall be set higher than sixty miles per hour;

29 (6) For the purposes of enforcing the speed limit laws of this state, it is a rebuttable
30 presumption that the posted speed limit is the legal speed limit.

31 3. On any state road or highway where the speed limit is not set pursuant to a local
32 ordinance, the highways and transportation commission may set a speed limit higher or lower than
33 the uniform maximum speed limit provided in subsection 2 of this section, if a higher or lower speed
34 limit is recommended by the department of transportation. The department of public safety, where it
35 believes for safety reasons, or to expedite the flow of traffic a higher or lower speed limit is
36 warranted, may request the department of transportation to raise or lower such speed limit, except

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1 that no speed limit shall be set higher than [seventy] seventy-five miles per hour.

2 4. Notwithstanding the provisions of section 304.120 or any other provision of law to the
3 contrary, cities, towns and villages may regulate the speed of vehicles on state roads and highways
4 within such cities', towns' or villages' corporate limits by ordinance with the approval of the state
5 highways and transportation commission. Any reduction of speed in cities, towns or villages shall be
6 designed to expedite the flow of traffic on such state roads and highways to the extent consistent with
7 public safety. The commission may declare any ordinance void if it finds that such ordinance is:

8 (1) Not primarily designed to expedite traffic flow; and

9 (2) Primarily designed to produce revenue for the city, town or village which enacted such
10 ordinance.

11 If an ordinance is declared void, the city, town or village shall have any future proposed ordinance
12 approved by the highways and transportation commission before such ordinance may take effect.

13 5. The county commission of any county of the second, third or fourth classification may set
14 the speed limit or the weight limit or both the speed limit and the weight limit on roads or bridges on
15 any county, township or road district road in the county and, with the approval of the state highways
16 and transportation commission, on any state road or highway not within the limits of any
17 incorporated city, town or village, lower than the uniform maximum speed limit as provided in
18 subsection 2 of this section where the condition of the road or the nature of the area requires a lower
19 speed. The maximum speed limit set by the county commission of any county of the second, third,
20 or fourth classification for any road under the commission's jurisdiction shall not exceed fifty-five
21 miles per hour if such road is properly marked by signs indicating such speed limit. If the county
22 commission does not mark the roads with signs indicating the speed limit, the speed limit shall be
23 fifty miles per hour. The commission shall send copies of any order establishing a speed limit or
24 weight limit on roads and bridges on a county, township or road district road in the county to the
25 chief engineer of the state department of transportation, the superintendent of the state highway
26 patrol and to any township or road district maintaining roads in the county. After the roads have
27 been properly marked by signs indicating the speed limits and weight limits set by the county
28 commission, the speed limits and weight limits shall be of the same effect as the speed limits
29 provided for in subsection 1 of this section and shall be enforced by the state highway patrol and the
30 county sheriff as if such speed limits and weight limits were established by state law.

31 6. The county commission of any county of the second, third, or fourth classification may by
32 ordinance set a countywide speed limit on roads within unincorporated areas of any county,
33 township, or road district in the county and may establish reasonable speed regulations for motor
34 vehicles within the limit of such county. No person who is not a resident of such county and who has
35 not been within the limits thereof for a continuous period of more than forty-eight hours shall be
36 convicted of a violation of such ordinances, unless it is shown by competent evidence that there was
37 posted at the place where the boundary of such county road enters the county a sign displaying in
38 black letters not less than four inches high and one inch wide on a white background the speed fixed
39 by such county so that such signs may be clearly seen by operators and drivers from their vehicles
40 upon entering such county. The commission shall send copies of any order establishing a
41 countywide speed limit on a county, township, or road district road in the county to the chief
42 engineer of the Missouri department of transportation, the superintendent of the state highway patrol,
43 and to any township or road district maintaining roads in the county. After the boundaries of the
44 county roads entering the county have been properly marked by signs indicating the speed limits set
45 by the county commission, the speed limits shall be of the same effect as the speed limits provided
46 for in subsection 1 of this section and shall be enforced by the state highway patrol and the county
47 sheriff as if such speed limits were established by state law.

48 7. All road signs indicating speed limits or weight limits shall be uniform in size, shape,

1 lettering and coloring and shall conform to standards established by the department of transportation.

2 8. The provisions of this section shall not be construed to alter any speed limit set below
3 fifty-five miles per hour by any ordinance of any county, city, town or village of the state adopted
4 before March 13, 1996.

5 9. The speed limits established pursuant to this section shall not apply to the operation of any
6 emergency vehicle as defined in section 304.022.

7 10. A violation of the provisions of this section shall not be construed to relieve the parties in
8 any civil action on any claim or counterclaim from the burden of proving negligence or contributory
9 negligence as the proximate cause of any accident or as the defense to a negligence action.

10 11. Any person violating the provisions of this section is guilty of a class C misdemeanor,
11 unless such person was exceeding the posted speed limit by twenty miles per hour or more then it is a
12 class B misdemeanor."; and

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14 Further amend said bill, Page 16, Section 304.065, Line 3, by inserting immediately after said line
15 the following:

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17 "304.288. 1. Beginning August 28, 2014, no county, city, town, village, municipality, state
18 agency, or other political subdivision of this state may enact, adopt, or enforce any law, ordinance,
19 regulation, order, or other provision that authorizes the use of an automated traffic enforcement
20 system or systems to establish evidence that a motor vehicle or its operator is not in compliance with
21 traffic signals, traffic speeds, or other traffic laws, ordinances, rules, or regulations on any public
22 street, road or highway within this state, or to impose or collect any civil or criminal fine, fee, or
23 penalty for any such noncompliance, except as permitted under subsection 2 of this section.

24 2. Any county, city, town, village, municipality, state agency, or other political subdivision
25 of this state that has an automated traffic enforcement system installation or maintenance contract
26 with a company or entity on August 28, 2014 shall arrange to complete or terminate the contract by
27 September 1, 2016. The provisions of subsection 1 of this section shall apply to the county, city,
28 town, village, municipality, state agency, or other political subdivision after the termination or
29 completion of such installation or maintenance contracts.

30 3. As used in this section, the term "automated traffic enforcement system" means a camera
31 or optical device designed to record images that depict the motor vehicle, the motor vehicle operator,
32 the license plate of the motor vehicle or other images to establish evidence that the motor vehicle or
33 its operator is not in compliance with state law, ordinance, order, or other provision."; and

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