

House _____ Amendment NO. _____

Offered By _____

1 AMEND House Bill No. 1976, Page 1, in the Title, Lines 2-3, by deleting the phrase "automated
2 traffic enforcement systems" and inserting in lieu thereof the words "traffic regulations"; and
3

4 Further amend said bill, said page, Section A, Line 2, by inserting immediately after said line the
5 following:

6 "304.010. 1. As used in this section, the following terms mean:

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

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

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

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

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

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

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

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

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

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

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

33 3. On any state road or highway where the speed limit is not set pursuant to a local
34 ordinance, the highways and transportation commission may set a speed limit higher or lower than
35 the uniform maximum speed limit provided in subsection 2 of this section, if a higher or lower speed
36 limit is recommended by the department of transportation. The department of public safety, where it

Action Taken _____ Date _____

believes for safety reasons, or to expedite the flow of traffic a higher or lower speed limit is warranted, may request the department of transportation to raise or lower such speed limit, except that no speed limit shall be set higher than [seventy] seventy-five miles per hour.

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

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

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

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

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

6. The county commission of any county of the second, third, or fourth classification may by ordinance set a countywide speed limit on roads within unincorporated areas of any county, township, or road district in the county and may establish reasonable speed regulations for motor vehicles within the limit of such county. No person who is not a resident of such county 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 county road enters the county 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 county so that such signs may be clearly seen by operators and drivers from their vehicles upon entering such county. The commission shall send copies of any order establishing a countywide speed limit on a county, township, or road district road in the county to the chief engineer of the Missouri department of transportation, the superintendent of the state highway patrol, and to any township or road district maintaining roads in the county. After the boundaries of the county roads entering the county have been properly marked by signs indicating the speed limits set by the county commission, the speed limits shall be of the same effect as the speed limits provided for in subsection 1 of this section and shall be enforced by the state highway patrol and the county

sheriff as if such speed limits were established by state law.

7. All road signs indicating speed limits or weight limits shall be uniform in size, shape, lettering and coloring and shall conform to standards established by the department of transportation.

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

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

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

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

304.180. 1. No vehicle or combination of vehicles shall be moved or operated on any highway in this state having a greater weight than twenty thousand pounds on one axle, no combination of vehicles operated by transporters of general freight over regular routes as defined in section 390.020 shall be moved or operated on any highway of this state having a greater weight than the vehicle manufacturer's rating on a steering axle with the maximum weight not to exceed twelve thousand pounds on a steering axle, and no vehicle shall be moved or operated on any state highway of this state having a greater weight than thirty-four thousand pounds on any tandem axle; the term "tandem axle" shall mean a group of two or more axles, arranged one behind another, the distance between the extremes of which is more than forty inches and not more than ninety-six inches apart.

2. An "axle load" is defined as the total load transmitted to the road by all wheels whose centers are included between two parallel transverse vertical planes forty inches apart, extending across the full width of the vehicle.

3. Subject to the limit upon the weight imposed upon a highway of this state through any one axle or on any tandem axle, the total gross weight with load imposed by any group of two or more consecutive axles of any vehicle or combination of vehicles shall not exceed the maximum load in pounds as set forth in the following table:

Distance in feet		Maximum load in pounds				
between the extremes						
of any group of two or						
more consecutive axles,						
measured to the nearest						
foot, except where						
indicated otherwise						
feet		2 axles	3 axles	4 axles	5 axles	6 axles
4		34,000				
5		34,000				
6		34,000				
7		34,000				
8		34,000	34,000			
More than 8		38,000	42,000			
9		39,000	42,500			
10		40,000	43,500			
11		40,000	44,000			
12		40,000	45,000	50,000		

1	13	40,000	45,500	50,500	
2	14	40,000	46,500	51,500	
3	15	40,000	47,000	52,000	
4	16	40,000	48,000	52,500	58,000
5	17	40,000	48,500	53,500	58,500
6	18	40,000	49,500	54,000	59,000
7	19	40,000	50,000	54,500	60,000
8	20	40,000	51,000	55,500	60,500
9	21	40,000	51,500	56,000	61,000
10	22	40,000	52,500	56,500	61,500
11	23	40,000	53,000	57,500	62,500
12	24	40,000	54,000	58,000	63,000
13	25	40,000	54,500	58,500	63,500
14	26	40,000	55,500	59,500	64,000
15	27	40,000	56,000	60,000	65,000
16	28	40,000	57,000	60,500	65,500
17	29	40,000	57,500	61,500	66,000
18	30	40,000	58,500	62,000	66,500
19	31	40,000	59,000	62,500	67,500
20	32	40,000	60,000	63,500	68,000
21	33	40,000	60,000	64,000	68,500
22	34	40,000	60,000	64,500	69,000
23	35	40,000	60,000	65,500	70,000
24	36	60,000	66,000	70,500	75,500
25	37	60,000	66,500	71,000	76,000
26	38	60,000	67,500	72,000	77,000
27	39	60,000	68,000	72,500	77,500
28	40	60,000	68,500	73,000	78,000
29	41	60,000	69,500	73,500	78,500
30	42	60,000	70,000	74,000	79,000
31	43	60,000	70,500	75,000	80,000
32	44	60,000	71,500	75,500	80,000
33	45	60,000	72,000	76,000	80,000
34	46	60,000	72,500	76,500	80,000
35	47	60,000	73,500	77,500	80,000
36	48	60,000	74,000	78,000	80,000
37	49	60,000	74,500	78,500	80,000
38	50	60,000	75,500	79,000	80,000
39	51	60,000	76,000	80,000	80,000
40	52	60,000	76,500	80,000	80,000
41	53	60,000	77,500	80,000	80,000
42	54	60,000	78,000	80,000	80,000
43	55	60,000	78,500	80,000	80,000
44	56	60,000	79,500	80,000	80,000
45	57	60,000	80,000	80,000	80,000

46

47 Notwithstanding the above table, two consecutive sets of tandem axles may carry a gross load of
48 thirty-four thousand pounds each if the overall distance between the first and last axles of such

1 consecutive sets of tandem axles is thirty-six feet or more.

2 4. Whenever the state highways and transportation commission finds that any state highway
3 bridge in the state is in such a condition that use of such bridge by vehicles of the weights specified
4 in subsection 3 of this section will endanger the bridge, or the users of the bridge, the commission
5 may establish maximum weight limits and speed limits for vehicles using such bridge. The
6 governing body of any city or county may grant authority by act or ordinance to the state highways
7 and transportation commission to enact the limitations established in this section on those roadways
8 within the purview of such city or county. Notice of the weight limits and speed limits established
9 by the commission shall be given by posting signs at a conspicuous place at each end of any such
10 bridge.

11 5. Nothing in this section shall be construed as permitting lawful axle loads, tandem axle
12 loads or gross loads in excess of those permitted under the provisions of Section 127 of Title 23 of
13 the United States Code.

14 6. Notwithstanding the weight limitations contained in this section, any vehicle or
15 combination of vehicles operating on highways other than the interstate highway system may exceed
16 single axle, tandem axle and gross weight limitations in an amount not to exceed two thousand
17 pounds. However, total gross weight shall not exceed eighty thousand pounds, except as provided in
18 subsections 9 and 10 of this section.

19 7. Notwithstanding any provision of this section to the contrary, the department of
20 transportation shall issue a single-use special permit, or upon request of the owner of the truck or
21 equipment, shall issue an annual permit, for the transporting of any concrete pump truck or
22 well-drillers' equipment. The department of transportation shall set fees for the issuance of permits
23 pursuant to this subsection. Notwithstanding the provisions of section 301.133, concrete pump
24 trucks or well-drillers' equipment may be operated on state-maintained roads and highways at any
25 time on any day.

26 8. Notwithstanding the provision of this section to the contrary, the maximum gross vehicle
27 limit and axle weight limit for any vehicle or combination of vehicles equipped with an idle
28 reduction technology may be increased by a quantity necessary to compensate for the additional
29 weight of the idle reduction system as provided for in 23 U.S.C. Section 127, as amended. In no
30 case shall the additional weight increase allowed by this subsection be greater than five hundred fifty
31 pounds. Upon request by an appropriate law enforcement officer, the vehicle operator shall provide
32 proof that the idle reduction technology is fully functional at all times and that the gross weight
33 increase is not used for any purpose other than for the use of idle reduction technology.

34 9. Notwithstanding subsection 3 of this section or any other provision of law to the contrary,
35 the total gross weight of any vehicle or combination of vehicles hauling livestock may be as much as,
36 but shall not exceed, eighty-five thousand five hundred pounds while operating on U.S. Highway 36
37 from St. Joseph to U.S. Highway 63, on U.S. Highway 65 from the Iowa state line to U.S. Highway
38 36, and on U.S. Highway 63 from the Iowa state line to U.S. Highway 36, and on U.S. Highway 63
39 from U.S. Highway 36 to Missouri Route 17. The provisions of this subsection shall not apply to
40 vehicles operated on the Dwight D. Eisenhower System of Interstate and Defense Highways.

41 10. Notwithstanding any provision of this section or any other law to the contrary, the total
42 gross weight of any vehicle or combination of vehicles hauling milk from a farm to a processing
43 facility may be as much as, but shall not exceed, eighty-five thousand five hundred pounds while
44 operating on highways other than the interstate highway system. The provisions of this subsection
45 shall not apply to vehicles operated and operating on the Dwight D. Eisenhower System of Interstate
46 and Defense Highways.

47 11. Notwithstanding any provision of this section or any other law, the department of
48 transportation shall issue emergency utility response permits for the transporting of utility wires or

1 cables, poles, and equipment needed for repair work immediately following a disaster where utility
2 service has been disrupted. Under exigent circumstances, verbal approval of such operation may be
3 made either by the motor carrier compliance supervisor or other designated motor carrier services
4 representative. Utility vehicles and equipment used to assist utility companies granted special
5 permits under this subsection may be operated and transported on state-maintained roads and
6 highways at any time on any day. The department of transportation shall promulgate all necessary
7 rules and regulations for the administration of this section. Any rule or portion of a rule, as that term
8 is defined in section 536.010, that is created under the authority delegated in this section shall
9 become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if
10 applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers
11 vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to
12 disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking
13 authority and any rule proposed or adopted after August 28, 2014, shall be invalid and void."; and
14

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