

SECOND REGULAR SESSION

[PERFECTED]

HOUSE COMMITTEE SUBSTITUTE FOR

HOUSE BILL NO. 1557

97TH GENERAL ASSEMBLY

5581H.02P

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To repeal sections 304.015 and 304.180, RSMo, and to enact in lieu thereof three new sections relating to traffic regulations, with a penalty provision.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Sections 304.015 and 304.180, RSMo, are repealed and three new sections enacted in lieu thereof, to be known as sections 304.015, 304.180, and 304.875, to read as follows:

304.015. 1. All vehicles not in motion shall be placed with their right side as near the right-hand side of the highway as practicable, except on streets of municipalities where vehicles are obliged to move in one direction only or parking of motor vehicles is regulated by ordinance.

2. Upon all public roads or highways of sufficient width a vehicle shall be driven upon the right half of the roadway, except as follows:

(1) When overtaking and passing another vehicle proceeding in the same direction pursuant to the rules governing such movement;

(2) When placing a vehicle in position for and when such vehicle is lawfully making a left turn in compliance with the provisions of sections 304.014 to 304.025 or traffic regulations thereunder or of municipalities;

(3) When the right half of a roadway is closed to traffic while under construction or repair;

(4) Upon a roadway designated by local ordinance as a one-way street and marked or signed for one-way traffic.

3. It is unlawful to drive any vehicle upon any highway or road which has been divided into two or more roadways by means of a physical barrier or by means of a dividing section or

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

17 delineated by curbs, lines or other markings on the roadway, except to the right of such barrier
18 or dividing section, or to make any left turn or semicircular or U-turn on any such divided
19 highway, except at an intersection or interchange or at any signed location designated by the state
20 highways and transportation commission or the department of transportation. The provisions
21 of this subsection shall not apply to emergency vehicles, law enforcement vehicles or to vehicles
22 owned by the commission or the department.

23 4. The authorities in charge of any highway or the state highway patrol may erect signs
24 temporarily designating lanes to be used by traffic moving in a particular direction, regardless
25 of the center line of the highway, and all members of the Missouri highway patrol and other
26 peace officers may direct traffic in conformance with such signs. When authorized signs have
27 been erected designating off-center traffic lanes, no person shall disobey the instructions given
28 by such signs.

29 5. Whenever any roadway has been divided into three or more clearly marked lanes for
30 traffic, the following rules in addition to all others consistent herewith shall apply:

31 (1) A vehicle shall be driven as nearly as practicable entirely within a single lane and
32 shall not be moved from such lane until the driver has first ascertained that such movement can
33 be made with safety;

34 (2) Upon a roadway which is divided into three lanes a vehicle shall not be driven in the
35 center lane, except when overtaking and passing another vehicle where the roadway ahead is
36 clearly visible and such center lane is clear of traffic within a safe distance, or in preparation for
37 a left turn or where such center lane is at the time allocated exclusively to traffic moving in the
38 direction the vehicle is proceeding and is sign-posted to give notice of such allocation;

39 (3) Upon all highways any vehicle proceeding at less than the normal speed of traffic
40 thereon shall be driven in the right-hand lane for traffic or as close as practicable to the right-
41 hand edge or curb, except as otherwise provided in sections 304.014 to 304.025;

42 (4) Official signs may be erected by the highways and transportation commission or the
43 highway patrol may place temporary signs directing slow-moving traffic to use a designated lane
44 or allocating specified lanes to traffic moving in the same direction and drivers of vehicles shall
45 obey the directions of every such sign;

46 (5) Drivers of vehicles proceeding in opposite directions shall pass each other to the
47 right, and except when a roadway has been divided into traffic lanes, each driver shall give to
48 the other at least one-half of the main traveled portion of the roadway whenever possible.

49 6. All vehicles in motion upon a highway having two or more lanes of traffic proceeding
50 in the same direction shall be driven in the right-hand lane except when overtaking and passing
51 another vehicle or when preparing to make a proper left turn or when otherwise directed by
52 traffic markings, signs or signals.

53 [7. All trucks registered for a gross weight of more than forty-eight thousand pounds
54 shall not be driven in the far left-hand lane upon all interstate highways, freeways, or
55 expressways within urbanized areas of the state having three or more lanes of traffic proceeding
56 in the same direction. This restriction shall not apply when:

57 (1) It is necessary for the operator of the truck to follow traffic control devices that direct
58 use of a lane other than the right lane; or

59 (2) The right half of a roadway is closed to traffic while under construction or repair.

60 8. As used in subsection 7 of this section, "truck" means any vehicle, machine, tractor,
61 trailer, or semitrailer, or any combination thereof, propelled or drawn by mechanical power and
62 designed for or used in the transportation of property upon the highways. The term "truck" also
63 includes a commercial motor vehicle as defined in section 301.010.]

64 9. Violation of this section shall be deemed a class C misdemeanor unless such violation
65 causes an immediate threat of an accident, in which case such violation shall be deemed a class
66 B misdemeanor, or unless an accident results from such violation, in which case such violation
67 shall be deemed a class A misdemeanor.

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

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

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

18 Distance in feet
 19 between the extremes
 20 of any group of two or
 21 more consecutive axles,
 22 measured to the nearest
 23 foot, except where
 24 indicated otherwise

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

54	31	40,000	59,000	62,500	67,500	72,500
55	32	40,000	60,000	63,500	68,000	73,000
56	33	40,000	60,000	64,000	68,500	74,000
57	34	40,000	60,000	64,500	69,000	74,500
58	35	40,000	60,000	65,500	70,000	75,000
59	36	60,000	66,000	70,500	75,500	
60	37	60,000	66,500	71,000	76,000	
61	38	60,000	67,500	72,000	77,000	
62	39	60,000	68,000	72,500	77,500	
63	40	60,000	68,500	73,000	78,000	
64	41	60,000	69,500	73,500	78,500	
65	42	60,000	70,000	74,000	79,000	
66	43	60,000	70,500	75,000	80,000	
67	44	60,000	71,500	75,500	80,000	
68	45	60,000	72,000	76,000	80,000	
69	46	60,000	72,500	76,500	80,000	
70	47	60,000	73,500	77,500	80,000	
71	48	60,000	74,000	78,000	80,000	
72	49	60,000	74,500	78,500	80,000	
73	50	60,000	75,500	79,000	80,000	
74	51	60,000	76,000	80,000	80,000	
75	52	60,000	76,500	80,000	80,000	
76	53	60,000	77,500	80,000	80,000	
77	54	60,000	78,000	80,000	80,000	
78	57	60,000	80,000	80,000	80,000	

79

80 Notwithstanding the above table, two consecutive sets of tandem axles may carry a gross load
81 of thirty-four thousand pounds each if the overall distance between the first and last axles of such
82 consecutive sets of tandem axles is thirty-six feet or more.

83 4. Whenever the state highways and transportation commission finds that any state
84 highway bridge in the state is in such a condition that use of such bridge by vehicles of the
85 weights specified in subsection 3 of this section will endanger the bridge, or the users of the
86 bridge, the commission may establish maximum weight limits and speed limits for vehicles using
87 such bridge. The governing body of any city or county may grant authority by act or ordinance
88 to the state highways and transportation commission to enact the limitations established in this
89 section on those roadways within the purview of such city or county. Notice of the weight limits

90 and speed limits established by the commission shall be given by posting signs at a conspicuous
91 place at each end of any such bridge.

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

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

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

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

116 9. Notwithstanding subsection 3 of this section or any other provision of law to the
117 contrary, the total gross weight of any vehicle or combination of vehicles hauling livestock may
118 be as much as, but shall not exceed, eighty-five thousand five hundred pounds while operating
119 on U.S. Highway 36 from St. Joseph to U.S. Highway 63, on U.S. Highway 65 from the Iowa
120 state line to U.S. Highway 36, and on U.S. Highway 63 from the Iowa state line to U.S. Highway
121 36, and on U.S. Highway 63 from U.S. Highway 36 to Missouri Route 17. The provisions of this
122 subsection shall not apply to vehicles operated on the Dwight D. Eisenhower System of Interstate
123 and Defense Highways.

124 10. Notwithstanding any provision of this section or any other law to the contrary, the
125 total gross weight of any vehicle or combination of vehicles hauling milk from a farm to a

126 processing facility may be as much as, but shall not exceed, eighty-five thousand five hundred
127 pounds while operating on highways other than the interstate highway system. The provisions
128 of this subsection shall not apply to vehicles operated and operating on the Dwight D.
129 Eisenhower System of Interstate and Defense Highways.

130 **11. Notwithstanding any provision of this section or any other law, the department**
131 **of transportation shall issue emergency utility response permits for the transporting of**
132 **utility wires or cables, poles, and equipment needed for repair work immediately following**
133 **a disaster where utility service has been disrupted. Under exigent circumstances, verbal**
134 **approval of such operation may be made either by the motor carrier compliance supervisor**
135 **or other designated motor carrier services representative. Utility vehicles and equipment**
136 **used to assist utility companies granted special permits under this subsection may be**
137 **operated and transported on state-maintained roads and highways at any time on any day.**
138 **The department of transportation shall promulgate all necessary rules and regulations for**
139 **the administration of this section. Any rule or portion of a rule, as that term is defined in**
140 **section 536.010, that is created under the authority delegated in this section shall become**
141 **effective only if it complies with and is subject to all of the provisions of chapter 536 and,**
142 **if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of**
143 **the powers vested with the general assembly pursuant to chapter 536 to review, to delay**
144 **the effective date, or to disapprove and annul a rule are subsequently held**
145 **unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted**
146 **after August 28, 2014, shall be invalid and void.**

304.875. 1. Notwithstanding the provisions of sections 302.225 or 302.302 or any
2 other provision of law to the contrary, any conviction for an infraction based solely upon
3 evidence obtained from an automated traffic enforcement system shall not have a point
4 value under section 302.302, the director of revenue shall not assess points for a conviction
5 of such an infraction, and no court having jurisdiction over such violations shall forward
6 a record of any plea or finding of guilt of any person in the court for such infraction to the
7 department of revenue.

8 2. Any person found to have committed a violation of a county or municipal traffic
9 ordinance or regulation that was charged solely upon evidence obtained from an
10 automated traffic enforcement system shall be guilty of a civil infraction punishable only
11 by a fine in an amount not to exceed one hundred thirty-five dollars, and notwithstanding
12 section 304.120.3, and any other provision of law to the contrary, classification of the
13 violation of the traffic ordinance or regulation as a civil infraction shall not be considered
14 contrary to or in any conflict with state law even if the violation for the same conduct
15 proscribed by the traffic ordinance or regulation that was charged solely upon evidence

16 obtained from an automated traffic enforcement system would otherwise be classified a
17 misdemeanor under state law.

18 3. Any jurisdiction utilizing an automated traffic enforcement system at an
19 intersection controlled by traffic control signals exhibiting different colored lights or
20 colored lighted arrows to enforce red-light violations shall have:

21 (1) An ordinance which authorizes the jurisdiction's utilization of the automated
22 traffic enforcement system;

23 (2) A contract with, and a permit from, the agency that owns the highway, street,
24 or road unless the jurisdiction owns the highway, street, or road, for the installation or use
25 of the automated traffic enforcement system;

26 (3) For any automated traffic enforcement system installed at an intersection to
27 enforce red light violations on or after January 1, 2014, an engineering review that includes
28 a site evaluation and a crash study under subsection 8 of this section;

29 (4) Yellow light change interval times that comply with section 304.289;

30 (5) A peace officer standards and training (POST) certified law enforcement officer
31 to review and determine whether a red-light violation occurred under the automated traffic
32 enforcement system;

33 (6) A sign located in advance of each intersection approach containing the
34 following: "SIGNAL (symbolic signal) IS PHOTO ENFORCED"; and

35 (7) A public awareness campaign at the initial deployment of the new program
36 consisting of only warning notices sent thirty days prior to issuing citations.

37 4. Any jurisdiction utilizing an automated traffic enforcement system to enforce
38 speed limits shall have:

39 (1) An ordinance which authorizes the jurisdiction's utilization of the automated
40 traffic enforcement system;

41 (2) A contract with, and a permit from, the agency that owns the highway, street,
42 or road, unless the jurisdiction owns the highway, street, or road, for the installation or use
43 of the automated traffic enforcement system;

44 (3) Restricted the use of such system to only school zones, work zones, and zones
45 determined by the jurisdiction through an engineering study to have fatal or disabling
46 motor vehicle crashes exceeding a predicted safety performance level for comparable
47 roads;

48 (4) A POST certified law enforcement officer to review and determine whether a
49 speed limit violation occurred under the automated traffic enforcement system;

(5) A sign located in advance of an automated speed enforcement system zone containing the following: “SPEED ENFORCED AHEAD PHOTO ENFORCED” or “SPEED LIMIT XX; PHOTO ENFORCED”;

(6) A sign to identify the end of an automated speed limit enforcement system zone with a sign containing the following: “END PHOTO ENFORCEMENT”; and

(7) A public awareness campaign at the initial deployment of the new program consisting of only warning notices sent thirty days prior to issuing citations.

5. When a jurisdiction uses an automated speed limit enforcement system in a school zone, the following conditions shall apply:

(1) Where school speed limit signing is installed, flashers shall be installed with the signing;

(2) The flashers shall only be activated at times when the school speed limit applies;

(3) The speed limit shall only be active when children are likely to be present; and

(4) The system shall not be allowed in school zones without a reduced speed limit or flashers.

6. When a jurisdiction uses an automated speed limit enforcement system in a work zone, the following conditions shall apply:

(1) The work zone shall:

(a) Have a duration of at least four hours;

(b) Have reduced speed limits in effect;

(c) Have a normal posted speed limit of sixty miles per hour or greater; and

(d) Be located within the jurisdiction’s boundaries.

(2) The work zone shall be marked by “ROAD WORK AHEAD” and “END WORK ZONE” signs;

(3) The system shall only be used when work zone workers are present and only for the duration of the work zone; and

(4) Only one system shall be installed and in use per work zone.

7. Notwithstanding any other provision of law, in order for any jurisdiction to utilize an automated traffic enforcement system to enforce red-light or speed limit violations on any highway included as part of the state highway system, the jurisdiction shall have obtained the prior approval of the state highways and transportation commission evidenced by a contract executed between the jurisdiction and the commission.

8. As used in this section, the following terms shall mean:

(1) “Crash study”, an evaluation of the crash data for an intersection, including consideration of whether any crashes, particularly right-angle crashes, may have been the result of a red-light violation;

86 (2) "Jurisdiction", and city, town, village, or county located in Missouri;

87 (3) Site assessment", an evaluation to ensure other measures have already been
88 considered or implemented to improve safety at the intersection. Site evaluation includes
89 a review of the intersection to ensure components of the signal are visible and conspicuous
90 and that the timing is appropriate for the conditions. The site evaluation shall also
91 consider how the addition of the red-light cameras might impact the flow of traffic in the
92 area of the intersection.

93 9. If the jurisdiction has not obtained the prior approval of the agency that owns
94 the highway, street, or road, unless the jurisdiction owns the highway, street, or road, for
95 the installation or use of the automated traffic enforcement system evidenced by a contract
96 executed between the jurisdiction and said agency, all violations issued after the effective
97 date of this act from such automated traffic enforcement system to enforce red-light or
98 speed violations shall not be enforceable.

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