

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed

**SS#3 SCS HB 1963, as amended** entitled:

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**AN ACT**

To repeal sections 32.300, 143.441, 144.070, 144.805, 227.600, 300.010, 301.010, 301.030, 301.032, 301.140, 301.190, 301.193, 301.210, 301.213, 301.280, 301.560, 301.564, 301.3174, 302.020, 302.170, 302.181, 302.720, 303.026, 303.200, 304.170, 304.172, 304.180, 306.127, 307.015, 407.815, 407.1025, 407.1329, and 577.001 RSMo, and to enact in lieu thereof forty-nine new sections relating to transportation, with existing penalty provisions and a delayed effective date for a certain section.

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With SA 1, SA 2, and SA 3

In which the concurrence of the House is respectfully requested.

Respectfully,

*Adriane D. Crouse*

Adriane D. Crouse  
Secretary of the Senate

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MAY 15 2020

CHIEF CLERK

SENATE AMENDMENT NO. 1Offered by Hegeman of AndrewAmend <sup>#3</sup> SS/SCS/House Bill No. 1963, Page 16, Section 227.600, Line 10,

2 of said page, by inserting immediately after "4." the following:  
3 "Notwithstanding any provision of law to the contrary, no funds  
4 from the state road fund established under section 30(b) of  
5 article IV of the Missouri constitution shall be used for the  
6 financing, development, or operation of a tube transport system.  
7 5."

8

Offered 5/15/2020  
Adopted "

SENATE AMENDMENT NO. 2Offered by O'Laughlin of 18<sup>th</sup>Amend #3 SS/SCS/House Bill No. 1963, Page 16, Section 227.600, Line 23,

of said page, by inserting after all of said line the following:

"5. Under no circumstances shall a public right-of-way  
necessary for the expansion of Interstate 70 be materially  
impeded by or transferred to a public-private partnership for the  
purpose of constructing a tube transport system.".

Offered 5/15/2020  
Adopted 11

**SENATE AMENDMENT NO. 3**Offered by Hoskins of 21Amend <sup>13</sup>SS/SCS/House Bill No. 1963, Page 12, Section 144.805, Line 24,

by inserting after all of said line the following:

"217.850. 1. A person commits the offense of unlawful use of unmanned aircraft over a correctional center if he or she purposely:

(1) Operates an unmanned aircraft within a vertical distance of four hundred feet over a correctional center's secure perimeter fence; or

(2) Allows an unmanned aircraft to make contact with a correctional center, including any person or object on the premises of or within the facility.

2. For purposes of this section, "correctional center" shall include:

(1) Any correctional center as defined in section 217.010;

(2) Any private jail as defined in section 221.095; and

(3) Any county or municipal jail.

3. The provisions of this section shall not prohibit the operation of an unmanned aircraft by:

(1) An employee of the correctional center at the direction of the chief administrative officer of the facility;

(2) A person who has written consent from the chief administrative officer of the facility;

*Offered 5/15/2020*  
*Adopted "*

2       (3) An employee of a law enforcement agency, fire  
3 department, or emergency medical service in the exercise of  
4 official duties;

5       (4) A government official or employee in the exercise of  
6 official duties;

7       (5) A public utility or a rural electric cooperative if:

8       (a) The unmanned aircraft is used for the purpose of  
9 inspecting, repairing, or maintaining utility transmission or  
10 distribution lines or other utility equipment or infrastructure;

11       (b) The utility notifies the correctional center before  
12 flying the unmanned aircraft, except during an emergency; and

13       (c) The person operating the unmanned aircraft does not  
14 physically enter the prohibited space without an escort provided  
15 by the correctional center;

16       (6) An employee of a railroad in the exercise of official  
17 duties on any land owned or operated by a railroad corporation  
18 regulated by the Federal Railroad Administration; or

19       (7) A person operating an unmanned aircraft pursuant to and  
20 in compliance with any waiver issued by the Federal Aviation  
21 Authority under 14 C.F.R. Section 107.200.

22       4. The offense of unlawful use of unmanned aircraft over a  
23 correctional center shall be punishable as an infraction unless  
24 the person uses an unmanned aircraft for the purpose of:

25       (1) Delivering a gun, knife, weapon, or other article that  
26 may be used in such manner to endanger the life of an offender or  
27 correctional center employee, in which case the offense is a  
28 class B felony;

29       (2) Facilitating an escape from confinement under section

2 575.210, in which case the offense is a class C felony; or

3 (3) Delivering a controlled substance, as that term is  
4 defined under section 195.010, in which case the offense is a  
5 class D felony.

6 5. Each correctional center shall post a sign warning of  
7 the provisions of this section. The sign shall be at least  
8 eleven inches by fourteen inches and posted in a conspicuous  
9 place."; and

10 Further amend said bill, Page 182, Section 577.001, Line 4,  
11 by inserting after all of said line the following:

12 "577.800. 1. A person commits the offense of unlawful use  
13 of unmanned aircraft over an open-air facility if he or she  
14 purposely:

15 (1) Operates an unmanned aircraft within a vertical  
16 distance of four hundred feet from the ground and within the  
17 property line of an open-air facility; or

18 (2) Uses an unmanned aircraft with the purpose of  
19 delivering to a person within an open-air facility any object  
20 described in subdivision (1) or (2) of subsection 4 of this  
21 section.

22 2. For purposes of this section, "open-air facility" shall  
23 mean any sports, theater, music, performing arts, or other  
24 entertainment facility with a capacity of five thousand people or  
25 more and not completely enclosed by a roof or other structure.

26 3. The provisions of this section shall not prohibit the  
27 operation of an unmanned aircraft by:

28 (1) An employee of an open-air facility at the direction of  
29 the president or chief executive officer of the open-air

2 facility;

3 (2) A person who has written consent from the president or  
4 chief executive officer of the open-air facility;

5 (3) An employee of a law enforcement agency, fire  
6 department, or emergency medical service in the exercise of  
7 official duties;

8 (4) A government official or employee in the exercise of  
9 official duties;

10 (5) A public utility or a rural electric cooperative if:

11 (a) The unmanned aircraft is used for the purpose of  
12 inspecting, repairing, or maintaining utility transmission or  
13 distribution lines or other utility equipment or infrastructure;

14 (b) The utility or cooperative notifies the open-air  
15 facility before flying the unmanned aircraft, except during an  
16 emergency; and

17 (c) The person operating the unmanned aircraft does not  
18 physically enter the prohibited space without an escort provided  
19 by the open-air facility; or

20 (6) An employee of a railroad in the exercise of official  
21 duties on any land owned or operated by a railroad corporation  
22 regulated by the Federal Railroad Administration.

23 4. The offense of unlawful use of unmanned aircraft over an  
24 open-air facility shall be punishable as a infraction unless the  
25 person uses an unmanned aircraft for:

26 (1) Delivering a gun, knife, weapon, or other article that  
27 may be used in such manner to endanger the life of an employee or  
28 guest at an open-air facility, in which case the offense is a  
29 class B felony; or

2        (2) Delivering a controlled substance, as that term is  
3 defined under section 195.010, in which case the offense is a  
4 class D felony.

5        5. Each open-air facility shall post a sign warning of the  
6 provisions of this section. The sign shall be at least eleven  
7 inches by fourteen inches and posted in a conspicuous place.

8        632.460. 1. A person commits the offense of unlawful use  
9 of unmanned aircraft over a mental health hospital if he or she  
10 purposely:

11        (1) Operates an unmanned aircraft within a vertical  
12 distance of four hundred feet over the mental health hospital's  
13 property line; or

14        (2) Uses an unmanned aircraft to deliver to a person  
15 confined in a mental health hospital any object described in  
16 subdivision (1) or (3) of subsection 6 of this section.

17        2. For the purposes of subsection 1 of this section,  
18 vertical distance extends from ground level.

19        3. For purposes of this section, "mental health hospital"  
20 shall mean a facility operated by the department of mental health  
21 to provide inpatient evaluation, treatment, or care to persons  
22 suffering from a mental disorder, as defined under section  
23 630.005; mental illness, as defined under section 630.005; or  
24 mental abnormality, as defined under section 632.480.

25        4. The provisions of this section shall not prohibit the  
26 operation of an unmanned aircraft by:

27        (1) An employee of the mental health hospital at the  
28 direction of the chief administrative officer of the mental  
29 health hospital;



2        (2) A person who has written consent from the chief  
3 administrative officer of the mental health hospital;

4        (3) An employee of a law enforcement agency, fire  
5 department, or emergency medical service in the exercise of  
6 official duties;

7        (4) A government official or employee in the exercise of  
8 official duties;

9        (5) A public utility or a rural electric cooperative if:

10       (a) The unmanned aircraft is used for the purpose of  
11 inspecting, repairing, or maintaining utility transmission or  
12 distribution lines or other utility equipment or infrastructure;

13       (b) The utility notifies the mental health hospital before  
14 flying the unmanned aircraft, except during an emergency; and

15       (c) The person operating the unmanned aircraft does not  
16 physically enter the prohibited space without an escort provided  
17 by the mental health hospital;

18       (6) An employee of a railroad in the exercise of official  
19 duties on any land owned or operated by a railroad corporation  
20 regulated by the Federal Railway Administration; or

21       (7) A person operating an unmanned aircraft pursuant to and  
22 in compliance with any waiver issued by the Federal Aviation  
23 Authority under 14 C.F.R. Section 107.200.

24       5. Each mental health hospital shall post a sign warning of  
25 the provisions of this section. The sign shall be at least  
26 eleven inches by fourteen inches and posted in a conspicuous  
27 place.

28       6. The offense of unlawful use of unmanned aircraft over a  
29 mental health hospital shall be punishable as an infraction

2 unless the person uses an unmanned aircraft for the purpose of:

3 (1) Delivering a gun, knife, weapon, or other article that  
4 may be used in such manner to endanger the life of a patient or  
5 mental health hospital employee, in which case the offense is a  
6 class B felony;

7 (2) Facilitating an escape from commitment or detention  
8 under section 575.195, in which case the offense is a class C  
9 felony; or

10 (3) Delivering a controlled substance, as that term is  
11 defined under section 195.010, in which case the offense is a  
12 class D felony."; and

13 Further amend the title and enacting clause accordingly.