

FIRST REGULAR SESSION

HOUSE BILL NO. 378

101ST GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE KELLEY (127).

0288H.011

DANA RADEMAN MILLER, Chief Clerk

AN ACT

To repeal section 307.127, RSMo, and to enact in lieu thereof one new section relating to animal-drawn vehicles.

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

Section A. Section 307.127, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 307.127, to read as follows:

307.127. 1. No person shall operate on any public highway of this state any slow-moving vehicle or equipment after sunset to one-half hour before sunrise, any animal-drawn vehicle, or any other machinery, designed for use or normally operated at speeds less than twenty-five miles per hour, including all road construction or maintenance machinery except when engaged in actual construction or maintenance work either guarded by a flagman or clearly visible warning signs, which normally travels or is normally used at a speed of less than twenty-five miles per hour unless:

(1) There is displayed on the rear thereof an emblem as described in, and displayed as provided in subsection 2 in this section; **and**

(2) **There is displayed on the front thereof reflective material complying with the requirements of subsection 6 of this section.**

The requirement of such emblem **and reflective material** shall be in addition to any lighting devices required by section 307.115.

2. The emblem required by subsection 1 of this section shall be of substantial construction, and shall be a basedown equilateral triangle of fluorescent yellow-orange film or equivalent quality paint with a base of not less than fourteen inches and an altitude of not less

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.

18 than twelve inches. Such triangle shall be bordered with reflective red strips having a minimum
19 width of one and three-fourths inches, with the vertices of the overall triangle truncated such that
20 the remaining altitude shall be a minimum of fourteen inches. Such emblem shall be mounted
21 on the rear of such vehicle near the horizontal geometric center of the rearmost vehicle at a
22 height of not less than four feet above the roadway, and shall be maintained in a clean, reflective
23 condition. The provisions of this section shall not apply to any vehicle or equipment being
24 operated on a gravel or dirt-surfaced public highway.

25 3. Any person who shall violate the provisions of this section shall be guilty of an
26 infraction.

27 4. No emblem shall be required on machinery or equipment pulled or attached to a farm
28 tractor providing the machinery or equipment does not extend more than twelve feet to the rear
29 of the tractor and permits a clear view of the emblem on the tractor by vehicles approaching from
30 the rear.

31 5. Any person operating an animal-drawn vehicle on any public highway of this state
32 may, in lieu of displaying the emblem required by subsections 1 and 2 of this section, equip the
33 animal-drawn vehicle with reflective material complying with rules and regulations promulgated
34 by the director of the department of public safety. The reflective material shall be visible from
35 a distance of not less than five hundred feet to the rear when illuminated by the lower beams of
36 vehicle headlights. Any rule or portion of a rule, as that term is defined in section 536.010, that
37 is created under the authority delegated in this section shall become effective only if it complies
38 with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028.
39 This section and chapter 536 are nonseverable and if any of the powers vested with the general
40 assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and
41 annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and
42 any rule proposed or adopted after August 28, 2004, shall be invalid and void.

43 **6. Any person operating an animal-drawn vehicle on any public highway of this**
44 **state shall equip the animal-drawn vehicle with reflective material placed on the front of**
45 **such vehicle that complies with rules and regulations promulgated by the director of the**
46 **department of public safety. The reflective material shall be visible from a distance of not**
47 **less than five hundred feet to the front when illuminated by the lower beams of vehicle**
48 **headlights. Any rule or portion of a rule, as that term is defined in section 536.010, that**
49 **is created under the authority delegated in this section shall become effective only if it**
50 **complies with and is subject to all of the provisions of chapter 536 and, if applicable,**
51 **section 536.028. This section and chapter 536 are nonseverable, and if any of the powers**
52 **vested with the general assembly pursuant to chapter 536 to review, to delay the effective**
53 **date, or to disapprove and annul a rule are subsequently held unconstitutional, then the**

54 **grant of rule making authority and any rule proposed or adopted after August 28, 2021,**
55 **shall be invalid and void.**

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