

House _____ Amendment NO. _____

Offered By

1 AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 982, Page 46,
2 Section 211.081, Line 27, by inserting after all of the said section and line the following:
3

4 "302.010. Except where otherwise provided, when used in this chapter, the following words and
5 phrases mean:

6 (1) "Circuit court", each circuit court in the state;

7 (2) "Commercial motor vehicle", a motor vehicle designed or regularly used for carrying freight and
8 merchandise, or more than fifteen passengers;

9 (3) "Conviction", any final conviction; also a forfeiture of bail or collateral deposited to secure a
10 defendant's appearance in court, which forfeiture has not been vacated, shall be equivalent to a conviction,
11 except that when any conviction as a result of which points are assessed pursuant to section 302.302 is
12 appealed, the term "conviction" means the original judgment of conviction for the purpose of determining the
13 assessment of points, and the date of final judgment affirming the conviction shall be the date determining the
14 beginning of any license suspension or revocation pursuant to section 302.304;

15 (4) "Criminal history check", a search of criminal records, including criminal history record
16 information as defined in section 43.500, maintained by the Missouri state highway patrol in the Missouri
17 criminal records repository or by the Federal Bureau of Investigation as part of its criminal history records,
18 including, but not limited to, any record of conviction, plea of guilty or nolo contendere, or finding of guilty in
19 any state for any offense related to alcohol, controlled substances, or drugs;

20 (5) "Director", the director of revenue acting directly or through the director's authorized officers and
21 agents;

22 (6) "Farm tractor", every motor vehicle designed and used primarily as a farm implement for
23 drawing plows, mowing machines and other implements of husbandry;

24 (7) "Highway", any public thoroughfare for vehicles, including state roads, county roads and public
25 streets, avenues, boulevards, parkways, or alleys in any municipality;

26 (8) "Incompetent to drive a motor vehicle", a person who has become physically incapable of
27 meeting the prescribed requirements of an examination for an operator's license, or who has been adjudged
28 by a probate division of the circuit court in a capacity hearing of being incapacitated;

29 (9) "License", a license issued by a state to a person which authorizes a person to operate a motor
30 vehicle;

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1 (10) "Motor vehicle", any self-propelled vehicle not operated exclusively upon tracks except
2 motorized bicycles, as defined in section 307.180 and electric bicycles, as defined in section 301.010;

3 (11) "Motorcycle", a motor vehicle operated on two wheels; however, this definition shall not
4 include motorized bicycles or electric bicycles as such terms are defined in section 301.010;

5 (12) "Motortricycle", a motor vehicle operated on three wheels, including a motorcycle operated
6 with any conveyance, temporary or otherwise, requiring the use of a third wheel, but excluding an electric
7 bicycle as defined in section 301.010;

8 (13) "Moving violation", that character of traffic violation where at the time of violation the motor
9 vehicle involved is in motion, except that the term does not include the driving of a motor vehicle without a
10 valid motor vehicle registration license, or violations of sections 304.170 to 304.240, inclusive, relating to
11 sizes and weights of vehicles;

12 (14) "Municipal court", every division of the circuit court having original jurisdiction to try persons
13 for violations of city ordinances;

14 (15) "Nonresident", every person who is not a resident of this state;

15 (16) "Operator", every person who is in actual physical control of a motor vehicle upon a highway;

16 (17) "Owner", a person who holds the legal title of a vehicle or in the event a vehicle is the subject of
17 an agreement for the conditional sale or lease thereof with the right of purchase upon performance of the
18 conditions stated in the agreement and with an immediate right of possession vested in the conditional vendee
19 or lessee, or in the event a mortgagor of a vehicle is entitled to possession, then such conditional vendee or
20 lessee or mortgagor shall be deemed the owner for the purpose of sections 302.010 to 302.540;

21 (18) "Record" includes, but is not limited to, papers, documents, facsimile information,
22 microphotographic process, electronically generated or electronically recorded information, digitized images,
23 deposited or filed with the department of revenue;

24 (19) "Residence address", "residence", or "resident address" shall be the location at which a person
25 has been physically present, and that the person regards as home. A residence address is a person's true,
26 fixed, principal, and permanent home, to which a person intends to return and remain, even though currently
27 residing elsewhere;

28 (20) "Restricted driving privilege", a sixty-day driving privilege issued by the director of revenue
29 following a suspension of driving privileges for the limited purpose of driving in connection with the driver's
30 business, occupation, employment, formal program of secondary, postsecondary or higher education, or for
31 an alcohol education or treatment program or certified ignition interlock provider, or a ninety-day interlock
32 restricted privilege issued by the director of revenue for the limited purpose of driving in connection with the
33 driver's business, occupation, employment, seeking medical treatment for such driver or a dependent family
34 member, attending school or other institution of higher education, attending alcohol- or drug-treatment
35 programs, seeking the required services of a certified ignition interlock provider, fulfilling court obligations,
36 including required appearances and probation and parole obligations, religious services, the care of a child or
37 children, including scheduled visitation or custodial obligations pursuant to a court order, fueling
38 requirements for any vehicle utilized, and seeking basic nutritional requirements;

39 (21) "School bus", when used in sections 302.010 to 302.540, means any motor vehicle, either

publicly or privately owned, that is designed for carrying more than ten passengers and that is used to
 transport students to and from school, or to transport pupils properly chaperoned to and from any place within
 the state for educational purposes. The term "school bus" shall not include a bus operated by a public utility,
 municipal corporation or common carrier authorized to conduct local or interstate transportation of
 passengers when such bus is not traveling a specific school bus route but is:

(a) On a regularly scheduled route for the transportation of fare-paying passengers; or

(b) Furnishing charter service for the transportation of persons enrolled as students on field trips or
 other special trips or in connection with other special events;

(22) "School bus operator", an operator who operates a school bus as defined in subdivision (21) of
 this section in the transportation of any schoolchildren and who receives compensation for such service. The
 term "school bus operator" shall not include any person who transports schoolchildren as an incident to
 employment with a school or school district, such as a teacher, coach, administrator, secretary, school nurse,
 or janitor unless such person is under contract with or employed by a school or school district as a school bus
 operator;

(23) "Signature", any method determined by the director of revenue for the signing, subscribing or
 verifying of a record, report, application, driver's license, or other related document that shall have the same
 validity and consequences as the actual signing by the person providing the record, report, application,
 driver's license or related document;

(24) "Substance abuse traffic offender program", a program certified by the division of alcohol and
 drug abuse of the department of mental health to provide education or rehabilitation services pursuant to a
 professional assessment screening to identify the individual needs of the person who has been referred to the
 program as the result of an alcohol- or drug-related traffic offense. Successful completion of such a program
 includes participation in any education or rehabilitation program required to meet the needs identified in the
 assessment screening. The assignment recommendations based upon such assessment shall be subject to
 judicial review as provided in subsection 14 of section 302.304 and subsections 1 and 5 of section 302.540;

(25) "Vehicle", any mechanical device on wheels, designed primarily for use, or used on highways,
 except motorized bicycles, electric bicycles, vehicles propelled or drawn by horses or human power, or
 vehicles used exclusively on fixed rails or tracks, or cotton trailers or motorized wheelchairs operated by
 handicapped persons.

304.060. 1. The state board of education shall adopt and enforce regulations not inconsistent with
 law to cover the design and operation of all school buses used for the transportation of school children when
 owned and operated by any school district or privately owned and operated under contract with any school
 district in this state, and such regulations shall by reference be made a part of any such contract with a school
 district. School districts shall have the authority to use motor vehicles other than school buses for the purpose
of transporting school children. The state board of education may adopt rules and regulations governing the
 use of other vehicles owned by a district or operated under contract with any school district in this state and
 used for the purpose of transporting school children~~[-The operator of such vehicle shall be licensed in~~
~~accordance with section 302.272, and such vehicle]~~, excluding motor vehicles operating under the authority
of the department of revenue under sections 387.400 to 387.440. Notwithstanding any other provisions of

1 law, the state board of education shall not require an individual who uses a motor vehicle with a gross vehicle
2 weight that is less than or equal to twelve thousand pounds for the purpose of providing student transportation
3 services in a vehicle other than a school bus to obtain any license other than a class F license, as described in
4 12 CSR 10-24.200(6). Motor vehicles other than school buses used shall transport no more children than the
5 manufacturer suggests as appropriate for such vehicle and meet any additional requirements of the school
6 district. The state board of education may also adopt rules and regulations governing the use of authorized
7 common carriers for the transportation of students on field trips or other special trips for educational
8 purposes. Every school district, its officers and employees, and every person employed under contract by a
9 school district shall be subject to such regulations. The state board of education shall cooperate with the state
10 transportation department and the state highway patrol in placing suitable warning signs at intervals on the
11 highways of the state.

12 2. Notwithstanding the provisions of subsection 1 of this section, any school board in the state of
13 Missouri in an urban district containing the greater part of the population of a city which has more than three
14 hundred thousand inhabitants may contract with any municipality, bi-state agency, or other governmental
15 entity for the purpose of transporting school children attending a grade or grades not lower than the ninth nor
16 higher than the twelfth grade, provided that such contract shall be for additional transportation services, and
17 shall not replace or fulfill any of the school district's obligations pursuant to section 167.231. The school
18 district may notify students of the option to use district-contracted transportation services.

19 3. Any officer or employee of any school district who violates any of the regulations or fails to
20 include obligation to comply with such regulations in any contract executed by him on behalf of a school
21 district shall be guilty of misconduct and subject to removal from office or employment. Any person
22 operating a school bus under contract with a school district who fails to comply with any such regulations
23 shall be guilty of breach of contract and such contract shall be cancelled after notice and hearing by the
24 responsible officers of such school district.

25 4. Any other provision of the law to the contrary notwithstanding, in any county of the first class
26 with a charter form of government adjoining a city not within a county, school buses may bear the word
27 "special".; and
28

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