

FIRST REGULAR SESSION

# HOUSE BILL NO. 650

## 95TH GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVES MEADOWS (Sponsor), WALSH, QUINN, KANDER, ROORDA, YAEGER, FALLERT, LIESE, SCHIEFFER, KRATKY, ENGLUND, SCHOEMEHL, CORCORAN, CASEY, LOW, WILDBERGER, DENISON, WEBBER, DOUGHERTY, McDONALD, HOLSMAN, FRAME, KUESSNER, FAITH, ATKINS AND FLOOK (Co-sponsors).

1673L.011

D. ADAM CRUMBLISS, Chief Clerk

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### AN ACT

To amend chapter 389, RSMo, by adding thereto one new section relating to the regulation of contract carriers that transport railroad employees.

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

Section A. Chapter 389, RSMo, is amended by adding thereto one new section, to be known as section 389.948, to read as follows:

**389.948. 1. The provisions of this section shall only apply to contract carriers that transport railroad employees under the terms of a contractual agreement with a railroad corporation on a road or highway of this state in a vehicle designed to carry eight or fewer passengers, including the driver. As used in this section, the term "contract carrier" has the meaning set forth in section 390.020, RSMo.**

**2. A contract carrier that transports railroad employees shall limit the hours of service by a driver who transports railroad employees to sixteen hours of total on-duty time within any twenty-four hour period.**

**3. A contract carrier that transports railroad employees shall make a concerted effort to provide a rest period of at least eight consecutive hours off duty for a driver who transports railroad employees and has accumulated sixteen hours of total on-duty time within any twenty-four hour period before allowing the driver to operate a vehicle under his or her employ again whenever practical.**

**4. A contract carrier who transports railroad employees shall maintain individualized daily time records for a minimum of six months indicating the time or times**

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.

16 all for-hire motor carrier drivers employed by them reported for duty and the  
17 corresponding time or times of relief for each tour of duty. All records required to be  
18 maintained under this section shall be made available for inspection to the director of the  
19 department of transportation or the director's designee.

20 5. The provisions established in this section shall be considered minimum standards  
21 and shall not be construed to supercede or abrogate any law, rule, or regulation which  
22 imposes stricter standards or regulations upon the operation of contract carriers that  
23 transport railroad employees.

24 6. The Missouri highways and transportation commission shall promulgate rules  
25 and regulations to implement and administer the provisions of this section. Any rule or  
26 portion of a rule, as that term is defined in section 536.010, RSMo, that is created under  
27 the authority delegated in this section shall become effective only if it complies with and  
28 is subject to all of the provisions of chapter 536, RSMo, and, if applicable, section 536.028,  
29 RSMo. This section and chapter 536, RSMo, are nonseverable and if any of the powers  
30 vested with the general assembly pursuant to chapter 536, RSMo, to review, to delay the  
31 effective date, or to disapprove and annul a rule are subsequently held unconstitutional,  
32 then the grant of rulemaking authority and any rule proposed or adopted after August 28,  
33 2009, shall be invalid and void.

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