

SECOND REGULAR SESSION

HOUSE BILL NO. 1942

93RD GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVES PEARCE (Sponsor), ROORDA, SANDER,
SCHNEIDER AND McGHEE (Co-sponsors).

Read 1st time March 2, 2006 and copies ordered printed.

STEPHEN S. DAVIS, Chief Clerk

5309L.02I

AN ACT

To repeal sections 174.700, 174.703, 174.706, and 544.157, RSMo, and to enact in lieu thereof six new sections relating to college or university police officers.

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

Section A. Sections 174.700, 174.703, 174.706, and 544.157, RSMo, are repealed and
2 six new sections enacted in lieu thereof, to be known as sections 174.700, 174.703, 174.706,
3 174.709, 174.712, and 544.157, to read as follows:

174.700. The board of regents or board of governors of any state college or university
2 may appoint and employ as many college or university police officers as it may deem necessary
3 to **enforce regulations established under section 174.709 and general motor vehicle laws of**
4 **this state in accordance with section 174.712**, protect persons, property, and to preserve peace
5 and good order only in the public buildings, properties, grounds, and other facilities and locations
6 over which it has charge or control.

174.703. **1.** The college or university police officers, before they enter upon their duties,
2 shall take and subscribe an oath of office before some officer authorized to administer oaths, to
3 faithfully and impartially discharge the duties thereof, which oath shall be filed in the office of
4 the board, and the secretary of the board shall give each college police officer so appointed and
5 qualified a certificate of appointment, under the seal of the board, which certificate shall
6 empower him or her with the same authority to maintain order, preserve peace and make arrests
7 as is now held by peace officers.

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.

8 **2. The college or university police officers shall have the authority to enforce the**
9 **regulations established in section 174.709 and general motor vehicle laws in accordance**
10 **with section 174.712 on the campus as proscribed in chapter 304, RSMo.** The college or
11 university police officer may in addition expel from the public buildings, campuses, and grounds,
12 persons violating the rules and regulations that may be prescribed by the board or others under
13 the authority of the board.

14 **3.** Such officer or employee of the state college or university as may be designated by
15 the board shall have immediate charge, control and supervision of police officers appointed by
16 authority of this section. Such college or university police officers shall have satisfactorily
17 completed before appointment a training course for police officers as prescribed by chapter 590,
18 RSMo, for state peace officers or, by virtue of previous experience or training, have met the
19 requirements of chapter 590, RSMo, **and have been certified under that chapter.**

 174.706. Nothing in sections 174.700 to 174.706 shall be construed as denying the board
2 the right to appoint guards or watchmen who shall not be given the authority and powers
3 authorized by sections 174.700 to [174.706] **174.712.**

174.709. 1. For the purpose of promoting public safety, health, and general welfare
2 **and to protect life and property, the board of regents or board of governors of any state**
3 **college or university may establish regulations to control vehicular traffic, including speed**
4 **regulations, on any thoroughfare owned or maintained by the state college or university**
5 **and located within any of its campuses. Such regulations shall be consistent with the**
6 **provisions of the general motor vehicle laws of this state. Upon adoption of such**
7 **regulations, the state college or university shall have the authority to place official traffic**
8 **control devices, as defined in section 300.010, RSMo, on campus property.**

9 **2. The regulations established by the board of regents or board of governors of any**
10 **state college or university under subsection 1 of this section shall be codified, printed, and**
11 **distributed for public use. Adequate signs displaying the speed limit shall be posted along**
12 **such thoroughfares.**

13 **3. Violations of any regulation established under this section shall have the same**
14 **effect as a violation of municipal ordinances adopted under section 304.120, RSMo, with**
15 **penalty provisions as provided in section 304.570, RSMo. Points assessed against any**
16 **person under section 302.302, RSMo, for a violation of this section shall be the same as**
17 **provided for a violation of a county or municipal ordinance.**

18 **4. The provisions of this section shall apply only to moving violations.**

174.712. All motor vehicles operated upon any thoroughfare owned or maintained
2 **by the state college or university and located within any of its campuses shall be subject to**
3 **the provisions of the general motor vehicle laws of this state, including chapters 301, 302,**

4 **303, 304, 307, and 577, RSMo. Violations shall have the same effect as though such had**
5 **occurred on public roads, streets, or highways of this state.**

544.157. 1. Any law enforcement officer certified pursuant to chapter 590, RSMo, of
2 any political subdivision of this state, any authorized agent of the department of conservation,
3 any commissioned member of the Missouri capitol police, any commissioned member of the
4 Missouri state park rangers, **any college or university police officer**, and any authorized agent
5 of the Missouri state water patrol in fresh pursuit of a person who is reasonably believed by such
6 officer to have committed a felony in this state or who has committed, or attempted to commit,
7 in the presence of such officer or agent, any criminal offense or violation of a municipal or
8 county ordinance, or for whom such officer holds a warrant of arrest for a criminal offense, shall
9 have the authority to arrest and hold in custody such person anywhere in this state. Fresh pursuit
10 may only be initiated from within the pursuing peace officer's, conservation agent's, capitol
11 police officer's, state park ranger's, **college or university police officer's**, or water patrol
12 officer's jurisdiction and shall be terminated once the pursuing peace officer is outside of such
13 officer's jurisdiction and has lost contact with the person being pursued. If the offense is a traffic
14 violation, the uniform traffic ticket shall be used as if the violator had been apprehended in the
15 municipality or county in which the offense occurred.

16 2. If such an arrest is made in obedience to a warrant, the disposition of the prisoner shall
17 be made as in other cases of arrest under a warrant; if the violator is served with a uniform traffic
18 ticket, the violator shall be directed to appear before a court having jurisdiction to try the offense;
19 if the arrest is without a warrant, the prisoner shall be taken forthwith before a judge of a court
20 with original criminal jurisdiction in the county wherein such arrest was made or before a
21 municipal judge thereof having original jurisdiction to try such offense, who may release the
22 person as provided in section 544.455, conditioned upon such person's appearance before the
23 court having jurisdiction to try the offense. The person so arrested need not be taken before a
24 judge as herein set out if given a summons by the arresting officer.

25 3. The term "fresh pursuit", as used in this section, shall include hot or fresh pursuit as
26 defined by the common law and also the pursuit of a person who has committed a felony or is
27 reasonably suspected of having committed a felony in this state, or who has committed or
28 attempted to commit in this state a criminal offense or violation of municipal or county ordinance
29 in the presence of the arresting officer referred to in subsection 1 of this section or for whom
30 such officer holds a warrant of arrest for a criminal offense. It shall include also the pursuit of
31 a person suspected of having committed a supposed felony in this state, though no felony has
32 actually been committed, if there is reasonable ground for so believing. "Fresh pursuit" as used
33 herein shall imply instant pursuit.

34 4. A public agency electing to institute vehicular pursuits shall adopt a policy for the safe
35 conduct of vehicular pursuits by peace officers. Such policy shall meet the following minimum
36 standards:

37 (1) There shall be supervisory control of the pursuit;

38 (2) There shall be procedures for designating the primary pursuit vehicle and for
39 determining the total number of vehicles to be permitted to participate at one time in the pursuit;

40 (3) There shall be procedures for coordinating operation with other jurisdictions; and

41 (4) There shall be guidelines for determining when the interests of public safety and
42 effective law enforcement justify a vehicular pursuit and when a vehicular pursuit should not be
43 initiated or should be terminated.

✓