

FIRST REGULAR SESSION

# HOUSE BILL NO. 815

## 97TH GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVE SMITH (85).

2038L.02I

D. ADAM CRUMBLISS, Chief Clerk

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### AN ACT

To amend chapter 304, RSMo, by adding thereto one new section relating to automated speed enforcement systems.

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

Section A. Chapter 304, RSMo, is amended by adding thereto one new section, to be  
2 known as section 304.855, to read as follows:

**304.855. 1. Notwithstanding any other provision of law, in order for any  
2 jurisdiction to utilize an automated speed enforcement system on any roadway within the  
3 state highway system, the jurisdiction shall:**

4 **(1) Register the automated speed enforcement system with the department of  
5 transportation at least thirty days prior to use; and**

6 **(2) Submit an annual report to the department of transportation for each highway  
7 corridor in which an automated speed enforcement system is located. The report shall be  
8 submitted no later than January thirty-first of each year.**

9 **2. For purposes of this section, an "automated speed enforcement system" means  
10 a device with one or more motor vehicle sensors, including, but not limited to,  
11 photographic devices, radar devices, laser devices, or other electrical or mechanical  
12 devices, designed to record the speed of a motor vehicle and to obtain a clear photograph  
13 or other recorded image of the motor vehicle and the motor vehicle's license plate, which  
14 automatically produces one or more photographs, one or more microphotographs, a  
15 videotape, or other recorded image of a motor vehicle at the time it is used or operated in  
16 violation of the posted speed limit.**

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.

17           **3. The provisions of this section shall not apply to the use of any hand-held or car-**  
18 **mounted radar, laser, or other electronic device by a law enforcement officer to measure**  
19 **speed.**

20           **4. The department of transportation shall promulgate all necessary rules and**  
21 **regulations for the administration of this section. Any rule or portion of a rule, as that**  
22 **term is defined in section 536.010, that is created under the authority delegated in this**  
23 **section shall become effective only if it complies with and is subject to all of the provisions**  
24 **of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are**  
25 **nonseverable and if any of the powers vested with the general assembly pursuant to**  
26 **chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are**  
27 **subsequently held unconstitutional, then the grant of rulemaking authority and any rule**  
28 **proposed or adopted after August 28, 2013, shall be invalid and void.**

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