

HCS SS SB 282 -- MOTOR VEHICLES

This bill changes the laws regarding motor vehicles.

COLLEGIATE REGULATION OF VEHICULAR TRAFFIC

The bill allows the governing body of any state college or university to establish regulations to control vehicular traffic on campus. The regulations must be consistent with state law and must be printed and distributed for public use. College or university police officers must have the authority to enforce the general motor vehicle laws of Missouri and the regulations adopted by the governing board on the campus. There must be adequate signs displaying the speed limit on thoroughfares. A violation will have the same effect as a municipal ordinance with penalty provisions and points assessed. State college or university police officers must be certified under Chapter 590, RSMo, and will have the same powers as other law enforcement officers (Sections 174.700 - 174.712 and 544.157).

INCOMPETENT OR UNQUALIFIED DRIVERS

An emergency medical technician is added to the list of health care professionals who can report to the Director of the Department of Revenue that a driver has been diagnosed or assessed with a condition that may prevent the person from safely operating a motor vehicle or that he or she has good cause to believe that a person is incompetent or unqualified to retain his or her driver's license (Section 302.291).

SUSPENSION OF DRIVING PRIVILEGES

Currently, if a person's driving privileges are suspended for failing to dispose of charges related to a moving violation, his or her driving privileges will be suspended until proof of the final disposition of charges is furnished to the Director of the Department of Revenue. Upon proof of disposition of charges and payment of any fine and reinstatement fees, the license must be restored and the suspension removed from the person's record if he or she was not operating a commercial motor vehicle or a holder of a commercial driver's license. The bill repeals the provision requiring the director to return the person's license and to remove the suspension from the offender's driving record (Section 302.341).

MOTORCYCLE CHECKPOINTS

The bill prohibits a law enforcement agency from establishing a roadside checkpoint or road block pattern based upon a particular

vehicle type, including the establishment of a motorcycle-only checkpoint. A law enforcement agency may establish a roadside checkpoint pattern that only stops and checks commercial motor vehicles. The provisions of the bill cannot be construed to restrict any other type of checkpoint or road block that is lawful and is established and operated in accordance with the provisions of the United States and Missouri constitutions (Section 304.152).

ENDANGERMENT OF EMERGENCY WORKERS

The bill increases the penalty for a moving violation or traffic offense occurring within an active emergency zone. An "active emergency zone" is an area that is visibly marked by emergency responders on or around a highway where an active emergency or incident removal is temporarily occurring.

A person convicted of a first moving violation or traffic offense within an active emergency zone must be assessed a fine of \$35 in addition to any other fine authorized by law. A second or subsequent offense within an active emergency zone must be assessed a fine of \$75 in addition to any other fine (Section 304.892.1).

The bill makes it a class C misdemeanor to pass another vehicle in an active emergency zone, and a person who pleads guilty to or is convicted of a speeding or passing violation in an active emergency zone must be assessed a fine of \$250 for a first offense and \$300 for any subsequent offense in addition to any other fine authorized by law (Sections 304.892.2 and 304.892.3).

A person commits the offense of endangerment of an emergency responder if, while in an active emergency zone with emergency responders present, he or she:

- (1) Exceeds the posted speed limit by 15 m.p.h. or more;
- (2) Passes another vehicle;
- (3) Fails to stop for a flagman, an emergency responder, or a traffic control signal in the active emergency zone;
- (4) Drives through or around an active emergency zone via any lane that is not for motorists;
- (5) Physically assaults, threatens, or attempts to assault an emergency responder with a motor vehicle or other instrument; or
- (6) Intentionally strikes or moves a barrel, barrier, sign, or other device for a reason other than to avoid an obstacle or emergency or to protect the health and safety of another person.

When injury or death does not result from the offense, a person who pleads guilty to or is convicted of endangering an emergency responder is subject to a fine of up to \$1,000 and assessed four points to his or her license. If death or injury results, the person commits the offense of aggravated endangerment of an emergency responder and is subject to a fine of up to \$5,000 if a responder is injured and \$10,000 if death resulted and 12 points will be assessed to his or her license (Sections 302.302, 304.894.2, and 304.894.3).

A person cannot be cited for or found guilty of endangerment or aggravated endangerment of an emergency responder if the act or omission is the result of a vehicle's mechanical failure or the negligence of another person (Section 304.894.5).

MOTORCYCLE BRAKE LIGHTS

The bill allows a motorcycle to be equipped with a means of varying the brightness of the vehicle's brake light for up to five seconds upon applying the brakes (Section 307.075).