

SECOND REGULAR SESSION
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 1945
98TH GENERAL ASSEMBLY

4055H.03C

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To amend chapter 304, RSMo, by adding thereto one new section relating to automated traffic enforcement systems, with a referendum clause.

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 304.288, to read as follows:

304.288. 1. As used in this section "automated traffic enforcement system" means
2 **a camera or optical device designed to record images that depict the motor vehicle, the**
3 **motor vehicle operator, the license plate of the motor vehicle, or other images to establish**
4 **evidence that the motor vehicle or its operator is not in compliance with state law,**
5 **ordinance, order, or other provision.**

6 **2. Beginning on the effective date of this section, no county, city, town, village,**
7 **municipality, state agency, or other political subdivision of this state may enact, adopt, or**
8 **enforce any law, ordinance, regulation, order, or other provision that authorizes the use**
9 **of an automated traffic enforcement system or systems, to establish evidence that a motor**
10 **vehicle or its operator is not in compliance with traffic signals, traffic speeds, or other**
11 **traffic laws, ordinances, rules, or regulations on any public street, road, or highway within**
12 **this state or to impose or collect any civil or criminal fine, fee, or penalty for any such**
13 **noncompliance, except as permitted under subsection 3 of this section.**

14 **3. Any county, city, town, village, municipality, state agency, or other political**
15 **subdivision of this state that has an automated traffic enforcement system installation or**
16 **maintenance contract with a company or entity on the effective date of this section shall**
17 **arrange to complete or terminate the contract within one year after the effective date of**
18 **this section. The provisions of subsection 2 of this section shall apply to the county, city,**

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.

19 **town, village, municipality, state agency, or other political subdivision after the termination**
20 **or completion of such installation or maintenance contracts.**

21 **4. Nothing in this section shall be construed to limit or prohibit the otherwise lawful**
22 **use of automated license plate reading.**

Section B. Section A of this act is hereby submitted to the qualified voters of this state
2 for approval or rejection at an election which is hereby ordered and which shall be held and
3 conducted on the Tuesday immediately following the first Monday in November, 2016, or at a
4 special election to be called by the governor for that purpose, pursuant to the laws and
5 constitutional provisions of this state applicable to general elections and the submission of
6 referendum measures by initiative petition, and it shall become effective when approved by a
7 majority of the votes cast thereon at such election and not otherwise.

Section C. Under chapter 116, RSMo, and other applicable constitutional provisions and
2 laws of this state allowing the general assembly to adopt ballot language for the submission of
3 this act to the voters of this state, the official ballot title of this act shall be as follows:

4 "Shall Missouri law be amended to: Prohibit political subdivisions and state agencies
5 from using automated traffic enforcement systems to establish evidence of noncompliance with
6 traffic laws or ordinances on public streets, roads or highways within this state, or to impose or
7 collect fines, fees, or penalties for noncompliance?"

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