

FIRST REGULAR SESSION

[PERFECTED]

HOUSE COMMITTEE SUBSTITUTE FOR

# HOUSE BILL NO. 275

99TH GENERAL ASSEMBLY

0834H.02P

D. ADAM CRUMBLISS, Chief Clerk

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## AN ACT

To repeal sections 304.170 and 476.385, RSMo, and to enact in lieu thereof four new sections relating to transportation regulations.

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

Section A. Sections 304.170 and 476.385, RSMo, are repealed and four new sections enacted in lieu thereof, to be known as sections 302.335, 304.170, 304.288, and 476.385, to read as follows:

**302.335. 1. Except as otherwise provided in subsection 2 of this section, any motorist charged with a traffic violation in this state or any county or municipality of this state shall receive notification, in person, within twenty-four hours of the violation from a law enforcement officer employed by the law enforcement agency issuing the violation.**

**2. The in-person notification requirement of subsection 1 of this section shall not apply to:**

**(1) Parking tickets;**

**(2) Violations under section 577.060;**

**(3) Incidents requiring further investigation; or**

**(4) Any other situation in which in-person notification is not possible.**

304.170. 1. No vehicle operated upon the highways of this state shall have a width, including load, in excess of one hundred two inches, except clearance lights, rearview mirrors or other accessories required by federal, state or city law or regulation. Provided however, a recreational vehicle as defined in section 700.010 may exceed the foregoing width limits if the appurtenances on such recreational vehicle extend no further than the rearview mirrors. Such

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.

6 mirrors may only extend the distance necessary to provide the required field of view before the  
7 appurtenances were attached.

8           2. No vehicle operated upon the interstate highway system or upon any route designated  
9 by the chief engineer of the state transportation department shall have a height, including load,  
10 in excess of fourteen feet. On all other highways, no vehicle shall have a height, including load,  
11 in excess of thirteen and one-half feet, except that any vehicle or combination of vehicles  
12 transporting automobiles or other motor vehicles may have a height, including load, of not more  
13 than fourteen feet.

14           3. No single motor vehicle operated upon the highways of this state shall have a length,  
15 including load, in excess of forty-five feet, except as otherwise provided in this section.

16           4. No bus, recreational motor vehicle or trackless trolley coach operated upon the  
17 highways of this state shall have a length in excess of forty-five feet, except that such vehicles  
18 may exceed the forty-five feet length when such excess length is caused by the projection of a  
19 front safety bumper or a rear safety bumper or both. Such safety bumper shall not cause the  
20 length of the bus or recreational motor vehicle to exceed the forty-five feet length limit by more  
21 than one foot in the front and one foot in the rear. The term "safety bumper" means any device  
22 which may be fitted on an existing bumper or which replaces the bumper and is so constructed,  
23 treated, or manufactured that it absorbs energy upon impact.

24           5. No combination of truck-tractor and semitrailer or truck-tractor equipped with  
25 dromedary and semitrailer operated upon the highways of this state shall have a length, including  
26 load, in excess of sixty feet; except that in order to comply with the provisions of Title 23 of the  
27 United States Code (Public Law 97-424), no combination of truck-tractor and semitrailer or  
28 truck-tractor equipped with dromedary and semitrailer operated upon the interstate highway  
29 system of this state shall have an overall length, including load, in excess of the length of the  
30 truck-tractor plus the semitrailer or truck-tractor equipped with dromedary and semitrailer. The  
31 length of such semitrailer shall not exceed fifty-three feet.

32           6. In order to comply with the provisions of Title 23 of the United States Code (Public  
33 Law 97-424), no combination of truck-tractor, semitrailer and trailer operated upon the interstate  
34 highway system of this state shall have an overall length, including load, in excess of the length  
35 of the truck-tractor plus the semitrailer and trailer, neither of which semitrailer or trailer shall  
36 exceed twenty-eight feet in length, except that any existing semitrailer or trailer up to twenty-  
37 eight and one-half feet in length actually and lawfully operated on December 1, 1982, within a  
38 sixty-five foot overall length limit in any state, may continue to be operated upon the interstate  
39 highways of this state. On those primary highways not designated by the state highways and  
40 transportation commission as provided in subsection 10 of this section, no combination of truck-  
41 tractor, semitrailer and trailer shall have an overall length, including load, in excess of sixty-five

42 feet; provided, however, the state highways and transportation commission may designate  
43 additional routes for such sixty-five foot combinations.

44 7. Automobile transporters, boat transporters, truck-trailer boat transporter combinations,  
45 stinger-steered combination automobile transporters and stinger-steered combination boat  
46 transporters having a length not in excess of seventy-five feet may be operated on the interstate  
47 highways of this state and such other highways as may be designated by the highways and  
48 transportation commission for the operation of such vehicles plus a distance not to exceed ten  
49 miles from such interstate or designated highway. All length provisions regarding automobile  
50 or boat transporters, truck-trailer boat transporter combinations and stinger-steered combinations  
51 shall include a semitrailer length not to exceed fifty-three feet and are exclusive of front and rear  
52 overhang, which shall be no greater than a three-foot front overhang and no greater than a four-  
53 foot rear overhang.

54 8. Driveaway saddlemount combinations having a length not in excess of ninety-seven  
55 feet may be operated on the interstate highways of this state and such other highways as may be  
56 designated by the highways and transportation commission for the operation of such vehicles  
57 plus a distance not to exceed ten miles from such interstate or designated highway. Saddlemount  
58 combinations must comply with the safety requirements of Section 393.71 of Title 49 of the  
59 Code of Federal Regulations and may contain no more than three saddlemounted vehicles and  
60 one fullmount.

61 9. No truck-tractor semitrailer-semitrailer combination vehicles operated upon the  
62 interstate and designated primary highway system of this state shall have a semitrailer length in  
63 excess of twenty-eight feet or twenty-eight and one-half feet if the semitrailer was in actual and  
64 lawful operation in any state on December 1, 1982, operating in a truck-tractor semitrailer-  
65 semitrailer combination. The B-train assembly is excluded from the measurement of semitrailer  
66 length when used between the first and second semitrailer of a truck-tractor semitrailer-  
67 semitrailer combination, except that when there is no semitrailer mounted to the B-train  
68 assembly, it shall be included in the length measurement of the semitrailer.

69 10. The highways and transportation commission is authorized to designate routes on  
70 the state highway system other than the interstate system over which those combinations of  
71 vehicles of the lengths specified in subsections 5, 6, 7, 8 and 9 of this section may be operated.  
72 Combinations of vehicles operated under the provisions of subsections 5, 6, 7, 8 and 9 of this  
73 section may be operated at a distance not to exceed ten miles from the interstate system and such  
74 routes as designated under the provisions of this subsection.

75 11. Except as provided in subsections 5, 6, 7, 8, 9 and 10 of this section, no other  
76 combination of vehicles operated upon the primary or interstate highways of this state plus a  
77 distance of ten miles from a primary or interstate highway shall have an overall length, unladen

78 or with load, in excess of sixty-five feet or in excess of fifty-five feet on any other highway,  
79 except the state highways and transportation commission may designate additional routes for use  
80 by sixty-five foot combinations, seventy-five foot stinger-steered combinations or seventy-five  
81 foot saddlemount combinations. Any vehicle or combination of vehicles transporting  
82 automobiles, boats or other motor vehicles may carry a load which extends no more than three  
83 feet beyond the front and four feet beyond the rear of the transporting vehicle or combination of  
84 vehicles.

85 12. (1) Except as hereinafter provided, these restrictions shall not apply to agricultural  
86 implements operating occasionally on the highways for short distances including tractor parades  
87 for fund-raising activities or special events, provided the tractors are driven by licensed drivers  
88 during daylight hours only and with the approval of the superintendent of the Missouri state  
89 highway patrol; or to self-propelled hay-hauling equipment or to implements of husbandry, or  
90 to the movement of farm products as defined in section 400.9-102 or to vehicles temporarily  
91 transporting agricultural implements or implements of husbandry or road-making machinery, or  
92 road materials or towing for repair purposes vehicles that have become disabled upon the  
93 highways; or to implement dealers delivering or moving farm machinery for repairs on any state  
94 highway other than the interstate system.

95 (2) Implements of husbandry and vehicles transporting such machinery or equipment and  
96 the movement of farm products as defined in section 400.9-102 may be operated occasionally  
97 for short distances on state highways when operated between the hours of sunrise and sunset by  
98 a driver licensed as an operator or chauffeur.

99 **(3) Notwithstanding any other provision of law to the contrary, agricultural**  
100 **machinery and implements may be operated for short distances on state highways between**  
101 **the hours of sunset and sunrise for agricultural purposes during harvest and planting**  
102 **seasons provided such vehicles are equipped with lighting meeting the requirements of**  
103 **section 307.115.**

104 13. As used in this chapter the term "implements of husbandry" means all self-propelled  
105 machinery operated at speeds of less than thirty miles per hour, specifically designed for, or  
106 especially adapted to be capable of, incidental over-the-road and primary offroad usage and used  
107 exclusively for the application of commercial plant food materials or agricultural chemicals, and  
108 not specifically designed or intended for transportation of such chemicals and materials.

109 14. Sludge disposal units may be operated on all state highways other than the interstate  
110 system. Such units shall not exceed one hundred thirty-eight inches in width and may be  
111 equipped with over-width tires. Such units shall observe all axle weight limits. The chief  
112 engineer of the state transportation department shall issue special permits for the movement of

113 such disposal units and may by such permits restrict the movements to specified routes, days and  
114 hours.

**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 a state law,  
5 ordinance, order, or other provision which is designated as a traffic infraction.**

**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, or authorize any other entity to enact, adopt, or enforce, any law, ordinance,  
9 regulation, order, or other provision that authorizes the use of an automated traffic  
10 enforcement system or systems to establish evidence that a motor vehicle or its operator has  
11 not paid any user fee or is not in compliance with traffic signals, traffic speeds, or other  
12 traffic laws, ordinances, rules, or regulations on any public street, road, or highway within  
13 this state or to impose or collect any civil or criminal fine, fee, user fee, or penalty for any  
14 such noncompliance, except as permitted under subsection 3 of this section.**

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

**22 4. Notwithstanding any other provision of law to the contrary, no county, city,  
23 town, village, municipality, state agency, or political subdivision shall be exempted from  
24 the provisions of this section except by explicit reference to, or modification of, this section.**

**25 5. This section shall not apply to any data or information recorded at weigh stations  
26 managed by the department of transportation or the highway patrol.**

476.385. 1. The judges of the supreme court may appoint a committee consisting of at  
2 least seven associate circuit judges, who shall meet en banc and establish and maintain a  
3 schedule of fines to be paid for violations of sections 210.104, 577.070, and 577.073, and  
4 chapters 252, 301, 302, 304, 306, 307 and 390, with such fines increasing in proportion to the  
5 severity of the violation. The associate circuit judges of each county ~~may~~ **shall** meet en banc  
6 and adopt the schedule of fines ~~and participation in the centralized bureau~~ pursuant to this  
7 section. ~~[Notice of such adoption and participation shall be given in the manner provided by~~  
8 ~~supreme court rule. Upon order of the supreme court, the associate circuit judges of each county~~

9 ~~may meet en banc and establish and maintain a schedule of fines to be paid for violations of~~  
10 ~~municipal ordinances for cities, towns and villages electing to have violations of its municipal~~  
11 ~~ordinances]~~ **The associate circuit judges of each county shall choose to either participate**  
12 **in the centralized bureau or have violations** heard by associate circuit judges, pursuant to  
13 section 479.040; and for traffic court divisions established pursuant to section 479.500. [~~The~~  
14 ~~schedule of fines adopted for violations of municipal ordinances may be modified from time to~~  
15 ~~time as the associate circuit judges of each county en banc deem advisable. No fine established~~  
16 ~~pursuant to this subsection may exceed the maximum amount specified by statute or ordinance~~  
17 ~~for such violation]~~ **Notwithstanding any other provision of law, there shall be no increase**  
18 **to any fine included in the schedule of fines established and maintained by the Supreme**  
19 **Court under this subsection and individual political subdivisions, including counties and**  
20 **municipalities, shall be strictly prohibited from establishing any traffic offense not on the**  
21 **schedule of fines and prohibited from modifying any fine on the schedule.**

22 2. In no event shall any schedule of fines adopted pursuant to this section include  
23 offenses involving the following:

- 24 (1) Any violation resulting in personal injury or property damage to another person;  
25 (2) Operating a motor vehicle while intoxicated or under the influence of intoxicants or  
26 drugs;  
27 (3) Operating a vehicle with a counterfeited, altered, suspended or revoked license;  
28 (4) Fleeing or attempting to elude an officer.

29 3. There shall be a centralized bureau to be established by supreme court rule in order  
30 to accept pleas of not guilty or guilty and payments of fines and court costs for violations of the  
31 laws and ordinances described in subsection 1 of this section, made pursuant to a schedule of  
32 fines established pursuant to this section. The centralized bureau shall collect, with any plea of  
33 guilty and payment of a fine, all court costs which would have been collected by the court of the  
34 jurisdiction from which the violation originated.

35 4. If a person elects not to contest the alleged violation, the person shall send payment  
36 in the amount of the fine and any court costs established for the violation to the centralized  
37 bureau. Such payment shall be payable to the central violations bureau, shall be made by mail  
38 or in any other manner established by the centralized bureau, and shall constitute a plea of guilty,  
39 waiver of trial and a conviction for purposes of section 302.302, and for purposes of imposing  
40 any collateral consequence of a criminal conviction provided by law. By paying the fine and  
41 costs, the person also consents to attendance either online or in person at any driver-improvement  
42 program or motorcycle-rider training course ordered by the court and consents to verification of  
43 such attendance as directed by the bureau. Notwithstanding any provision of law to the contrary,  
44 the prosecutor shall not be required to sign any information, ticket or indictment if disposition

45 is made pursuant to this subsection. In the event that any payment is made pursuant to this  
46 section by credit card or similar method, the centralized bureau may charge an additional fee in  
47 order to reflect any transaction cost, surcharge or fee imposed on the recipient of the credit card  
48 payment by the credit card company.

49 5. If a person elects to plead not guilty, such person shall send the plea of not guilty to  
50 the centralized bureau. The bureau shall send such plea and request for trial to the prosecutor  
51 having original jurisdiction over the offense. Any trial shall be conducted at the location  
52 designated by the court. The clerk of the court in which the case is to be heard shall notify in  
53 writing such person of the date certain for the disposition of such charges. The prosecutor shall  
54 not be required to sign any information, ticket or indictment until the commencement of any  
55 proceeding by the prosecutor with respect to the notice of violation.

56 6. ~~[In courts adopting a schedule of fines pursuant to this section,]~~ Any person receiving  
57 a notice of violation pursuant to this section shall also receive written notification of the  
58 following:

59 (1) The fine and court costs established pursuant to this section for the violation or  
60 information regarding how the person may obtain the amount of the fine and court costs for the  
61 violation;

62 (2) That the person must respond to the notice of violation by paying the prescribed fine  
63 and court costs, or pleading not guilty and appearing at trial, and that other legal penalties  
64 prescribed by law may attach for failure to appear and dispose of the violation. The supreme  
65 court may modify the suggested forms for uniform complaint and summons for use in courts  
66 adopting the procedures provided by this section, in order to accommodate such required written  
67 notifications.

68 7. Any moneys received in payment of fines and court costs pursuant to this section shall  
69 not be considered to be state funds, but shall be held in trust by the centralized bureau for benefit  
70 of those persons or entities entitled to receive such funds pursuant to this subsection. All  
71 amounts paid to the centralized bureau shall be maintained by the centralized bureau, invested  
72 in the manner required of the state treasurer for state funds by sections 30.240, 30.250, 30.260  
73 and 30.270, and disbursed as provided by the constitution and laws of this state. Any interest  
74 earned on such fund shall be payable to the director of the department of revenue for deposit into  
75 a revolving fund to be established pursuant to this subsection. The state treasurer shall be the  
76 custodian of the revolving fund, and shall make disbursements, as allowed by lawful  
77 appropriations, only to the judicial branch of state government for goods and services related to  
78 the administration of the judicial system.

79 8. Any person who receives a notice of violation subject to this section who fails to  
80 dispose of such violation as provided by this section shall be guilty of failure to appear provided

81 by section 544.665; and may be subject to suspension of driving privileges in the manner  
82 provided by section 302.341. The centralized bureau shall notify the appropriate prosecutor of  
83 any person who fails to either pay the prescribed fine and court costs, or plead not guilty and  
84 request a trial within the time allotted by this section, for purposes of application of section  
85 544.665. The centralized bureau shall also notify the department of revenue of any failure to  
86 appear subject to section 302.341, and the department shall thereupon suspend the license of the  
87 driver in the manner provided by section 302.341, as if notified by the court.

88 9. In addition to the remedies provided by subsection 8 of this section, the centralized  
89 bureau and the courts may use the remedies provided by sections 488.010 to 488.020 for the  
90 collection of court costs payable to courts, in order to collect fines and court costs for violations  
91 subject to this section.

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