

House _____ Amendment NO. _____

Offered By

1 AMEND House Committee Substitute for Senate Bill No. 782, Page 19, Section 227.600, Line 77,
2 by inserting after all of said line the following:

3
4 "300.010. The following words and phrases when used in this ordinance mean:

5 (1) "Alley" or "alleyway", any street with a roadway of less than twenty feet in width;

6 (2) "All-terrain vehicle", any motorized vehicle manufactured and used exclusively for off-
7 highway use [~~which is fifty inches or less in width~~], with an unladen dry weight of [~~six~~] one
8 thousand five hundred pounds or less, traveling on three, four or more [~~low pressure~~] nonhighway
9 tires, with either:

10 (a) A seat designed to be straddled by the operator, and handlebars for steering control; or

11 (b) A width of fifty inches or less, measured from outside of tire rim to outside of tire rim,
12 regardless of seating or steering arrangement;

13 (3) "Authorized emergency vehicle", a vehicle publicly owned and operated as an
14 ambulance, or a vehicle publicly owned and operated by the state highway patrol, police or fire
15 department, sheriff or constable or deputy sheriff, traffic officer or any privately owned vehicle
16 operated as an ambulance when responding to emergency calls;

17 (4) "Business district", the territory contiguous to and including a highway when within any
18 six hundred feet along the highway there are buildings in use for business or industrial purposes,
19 including but not limited to hotels, banks, or office buildings, railroad stations and public buildings
20 which occupy at least three hundred feet of frontage on one side or three hundred feet collectively
21 on both sides of the highway;

22 (5) "Central business (or traffic) district", all streets and portions of streets within the area
23 described by city ordinance as such;

24 (6) "Commercial vehicle", every vehicle designed, maintained, or used primarily for the
25 transportation of property;

26 (7) "Controlled access highway", every highway, street or roadway in respect to which
27 owners or occupants of abutting lands and other persons have no legal right of access to or from the
28 same except at such points only and in such manner as may be determined by the public authority
29 having jurisdiction over the highway, street or roadway;

30 (8) "Crosswalk",

31 (a) That part of a roadway at an intersection included within the connections of the lateral
32 lines of the sidewalks on opposite sides of the highway measured from the curbs, or in the absence
33 of curbs from the edges of the traversable roadway;

34 (b) Any portion of a roadway at an intersection or elsewhere distinctly indicated for
35 pedestrian crossing by lines or other markings on the surface;

36 (9) "Curb loading zone", a space adjacent to a curb reserved for the exclusive use of

Action Taken _____ Date _____

1 vehicles during the loading or unloading of passengers or materials;

2 (10) "Driver", every person who drives or is in actual physical control of a vehicle;

3 (11) "Freight curb loading zone", a space adjacent to a curb for the exclusive use of vehicles
4 during the loading or unloading of freight (or passengers);

5 (12) "Highway", the entire width between the boundary lines of every way publicly
6 maintained when any part thereof is open to the use of the public for purposes of vehicular travel;

7 (13) "Intersection",

8 (a) The area embraced within the prolongation or connection of the lateral curb lines, or, if
9 none, then the lateral boundary lines of the roadways of two highways which join one another at, or
10 approximately at, right angles, or the area within which vehicles traveling upon different highways
11 joining at any other angle may come in conflict;

12 (b) Where a highway includes two roadways thirty feet or more apart, then every crossing of
13 each roadway of such divided highway by an intersecting highway shall be regarded as a separate
14 intersection. In the event such intersecting highway also includes two roadways thirty feet or more
15 apart, then every crossing of two roadways of such highways shall be regarded as a separate
16 intersection;

17 (14) "Laned roadway", a roadway which is divided into two or more clearly marked lanes
18 for vehicular traffic;

19 (15) "Motor vehicle", any self-propelled vehicle not operated exclusively upon tracks,
20 except farm tractors and motorized bicycles;

21 (16) "Motorcycle", every motor vehicle having a seat or saddle for the use of the rider and
22 designed to travel on not more than three wheels in contact with the ground, but excluding a tractor;

23 (17) "Motorized bicycle", any two-wheeled or three-wheeled device having an automatic
24 transmission and a motor with a cylinder capacity of not more than fifty cubic centimeters, which
25 produces less than three gross brake horsepower, and is capable of propelling the device at a
26 maximum speed of not more than thirty miles per hour on level ground;

27 (18) "Official time standard", whenever certain hours are named herein they shall mean
28 standard time or daylight-saving time as may be in current use in the city;

29 (19) "Official traffic control devices", all signs, signals, markings and devices not
30 inconsistent with this ordinance placed or erected by authority of a public body or official having
31 jurisdiction, for the purpose of regulating, warning or guiding traffic;

32 (20) "Park" or "parking", the standing of a vehicle, whether occupied or not, otherwise than
33 temporarily for the purpose of and while actually engaged in loading or unloading merchandise or
34 passengers;

35 (21) "Passenger curb loading zone", a place adjacent to a curb reserved for the exclusive use
36 of vehicles during the loading or unloading of passengers;

37 (22) "Pedestrian", any person afoot;

38 (23) "Person", every natural person, firm, copartnership, association or corporation;

39 (24) "Police officer", every officer of the municipal police department or any officer
40 authorized to direct or regulate traffic or to make arrests for violations of traffic regulations;

41 (25) "Private road" or "driveway", every way or place in private ownership and used for
42 vehicular travel by the owner and those having express or implied permission from the owner, but
43 not by other persons;

44 (26) "Railroad", a carrier of persons or property upon cars, other than streetcars, operated
45 upon stationary rails;

46 (27) "Railroad train", a steam engine, electric or other motor, with or without cars coupled
47 thereto, operated upon rails, except streetcars;

48 (28) "Residence district", the territory contiguous to and including a highway not
49 comprising a business district when the property on such highway for a distance of three hundred

1 feet or more is in the main improved with residences or residences and buildings in use for business;

2 (29) "Right-of-way", the right of one vehicle or pedestrian to proceed in a lawful manner in
3 preference to another vehicle or pedestrian approaching under such circumstances of direction,
4 speed and proximity as to give rise to danger of collision unless one grants precedence to the other;

5 (30) "Roadway", that portion of a highway improved, designed or ordinarily used for
6 vehicular travel, exclusive of the berm or shoulder. In the event a highway includes two or more
7 separate roadways the term "roadway" as used herein shall refer to any such roadway separately but
8 not to all such roadways collectively;

9 (31) "Safety zone", the area or space officially set apart within a roadway for the exclusive
10 use of pedestrians and which is protected or is so marked or indicated by adequate signs as to be
11 plainly visible at all times while set apart as a safety zone;

12 (32) "Sidewalk", that portion of a street between the curb lines, or the lateral lines of a
13 roadway, and the adjacent property lines, intended for use of pedestrians;

14 (33) "Stand" or "standing", the halting of a vehicle, whether occupied or not, otherwise than
15 for the purpose of and while actually engaged in receiving or discharging passengers;

16 (34) "Stop", when required, complete cessation from movement;

17 (35) "Stop" or "stopping", when prohibited, any halting even momentarily of a vehicle,
18 whether occupied or not, except when necessary to avoid conflict with other traffic or in compliance
19 with the directions of a police officer or traffic control sign or signal;

20 (36) "Street" or "highway", the entire width between the lines of every way publicly
21 maintained when any part thereof is open to the uses of the public for purposes of vehicular travel.

22 "State highway", a highway maintained by the state of Missouri as a part of the state highway
23 system;

24 (37) "Through highway", every highway or portion thereof on which vehicular traffic is
25 given preferential rights-of-way, and at the entrances to which vehicular traffic from intersecting
26 highways is required by law to yield rights-of-way to vehicles on such through highway in
27 obedience to either a stop sign or a yield sign, when such signs are erected as provided in this
28 ordinance;

29 (38) "Traffic", pedestrians, ridden or herded animals, vehicles, streetcars and other
30 conveyances either singly or together while using any highway for purposes of travel;

31 (39) "Traffic control signal", any device, whether manually, electrically or mechanically
32 operated, by which traffic is alternately directed to stop and to proceed;

33 (40) "Traffic division", the traffic division of the police department of the city, or in the
34 event a traffic division is not established, then said term whenever used herein shall be deemed to
35 refer to the police department of the city;

36 (41) "Vehicle", any mechanical device on wheels, designed primarily for use, or used, on
37 highways, except motorized bicycles, vehicles propelled or drawn by horses or human power, or
38 vehicles used exclusively on fixed rails or tracks, cotton trailers or motorized wheelchairs operated
39 by handicapped persons."

40
41 Further amend said bill, Page 19, Section 301.010, Lines 4 and 5, by deleting all of said lines and
42 inserting in lieu thereof the following:

43 "off-highway use [~~which is fifty inches or less in width~~], with an unladen dry weight of one
44 thousand five hundred pounds or less, traveling on three, four or more nonhighway tires, with either:

45 (a) A seat designed to be straddled by the operator, and handlebars for steering control; or

46 (b) A width of fifty inches or less, measured from outside of tire rim to outside of tire rim,
47 regardless of seating or steering arrangement;"; and

48
49 Further amend said section, Page 24, Lines 179 and 180, by deleting all of said lines and inserting in

1 lieu thereof the following:

2
3 "exclusively for off-highway use which is more than fifty inches but no more than ~~[sixty-seven]~~
4 eighty inches in width, measured from outside of tire rim to outside of tire rim, with an unladen dry
5 weight of ~~[two]~~ three thousand five hundred pounds or less, traveling on four"; and

6
7 Further amend said section, Page 27, Lines 284 and 285, by deleting all of said lines and inserting in
8 lieu thereof the following:

9
10 "off-highway use which is more than fifty inches but no more than ~~[sixty-seven]~~ eighty inches in
11 width, measured from outside of tire rim to outside of tire rim, with an unladen dry weight of ~~[two]~~
12 three thousand five hundred pounds or less, traveling on four or six wheels, to"; and

13
14 Further amend said bill, Page 70, Section 306.127, Line 72, by inserting after all of said line the
15 following:

16
17 "407.815. As used in sections 407.810 to 407.835, unless the context otherwise requires, the
18 following terms mean:

19 (1) "Administrative hearing commission", the body established in chapter 621 to conduct
20 administrative hearings;

21 (2) "All-terrain vehicle", any motorized vehicle manufactured and used exclusively for off-
22 highway use ~~[which is fifty inches or less in width]~~, with an unladen dry weight of ~~[six]~~ one
23 thousand five hundred pounds or less, traveling on three, four or more ~~[low pressure]~~ nonhighway
24 tires, with either:

25 (a) A seat designed to be straddled by the operator, and handlebars for steering control; or

26 (b) A width of fifty inches or less, measured from outside of tire rim to outside of tire rim,
27 regardless of seating or steering arrangement;

28 (3) "Coerce", to compel or attempt to compel a person to act in a given manner by pressure,
29 intimidation, or threat of harm, damage, or breach of contract, but shall not include the following:

30 (a) Good faith recommendations, exposition, argument, persuasion or attempts at persuasion
31 without unreasonable conditions;

32 (b) Notice given in good faith to any franchisee of such franchisee's violation of terms or
33 provisions of such franchise or contractual agreement; or

34 (c) Any conduct set forth in sections 407.810 to 407.835 that is permitted of the franchisor;

35 (4) "Common entity", a person:

36 (a) Who is either controlled or owned, beneficially or of record, by one or more persons
37 who also control or own more than forty percent of the voting equity interest of a franchisor; or

38 (b) Who shares directors or officers or partners with a franchisor;

39 (5) "Control", to possess, directly or indirectly, the power to direct or cause the direction of
40 the management or policies of a person, whether through the ownership of voting securities, by
41 contract, or otherwise; except that "control" does not include the relationship between a franchisor
42 and a franchisee under a franchise agreement;

43 (6) "Dealer-operator", the individual who works at the established place of business of a
44 dealer and who is responsible for and in charge of day-to-day operations of that place of business;

45 (7) "Distributor", a person, resident or nonresident, who, in whole or in part, sells or
46 distributes new motor vehicles to motor vehicle dealers in this state;

47 (8) "Franchise" or "franchise agreement", a written arrangement or contract for a definite or
48 indefinite period, in which a person grants to another person a license to use, or the right to grant to
49 others a license to use, a trade name, trademark, service mark, or related characteristics, in which

1 there is a community of interest in the marketing of goods or services, or both, at wholesale or retail,
2 by agreement, lease or otherwise, and in which the operation of the franchisee's business with
3 respect to such franchise is substantially reliant on the franchisor for the continued supply of
4 franchised new motor vehicles, parts and accessories for sale at wholesale or retail. The franchise
5 includes all portions of all agreements between a franchisor and a franchisee, including but not
6 limited to a contract, new motor vehicle franchise, sales and service agreement, or dealer agreement,
7 regardless of the terminology used to describe the agreement or relationship between the franchisor
8 and franchisee, and also includes all provisions, schedules, attachments, exhibits and agreements
9 incorporated by reference therein;

10 (9) "Franchisee", a person to whom a franchise is granted;

11 (10) "Franchisor", a person who grants a franchise to another person;

12 (11) "Good faith", the duty of each party to any franchise and all officers, employees, or
13 agents thereof, to act in a fair and equitable manner toward each other so as to guarantee the one
14 party freedom from coercion, intimidation, or threat of coercion or intimidation from the other
15 party;

16 (12) "Importer", a person who has written authorization from a foreign manufacturer of a
17 line-make of motor vehicles to grant a franchise to a motor vehicle dealer in this state with respect
18 to that line-make;

19 (13) "Line-make", a collection of models, series, or groups of motor vehicles manufactured
20 by or for a particular manufacturer, distributor or importer offered for sale, lease or distribution
21 pursuant to a common brand name or mark; provided, however:

22 (a) Multiple brand names or marks may constitute a single line-make, but only when
23 included in a common dealer agreement and the manufacturer, distributor or importer offers such
24 vehicles bearing the multiple names or marks together only, and not separately, to its authorized
25 dealers; and

26 (b) Motor vehicles bearing a common brand name or mark may constitute separate line-
27 makes when pertaining to motor vehicles subject to separate dealer agreements or when such
28 vehicles are intended for different types of use;

29 (14) "Manufacturer", any person, whether a resident or nonresident of this state, who
30 manufactures or assembles motor vehicles or who manufactures or installs on previously assembled
31 truck chassis special bodies or equipment which, when installed, form an integral part of the motor
32 vehicle and which constitute a major manufacturing alteration. The term "manufacturer" includes a
33 central or principal sales corporation or other entity, other than a franchisee, through which, by
34 contractual agreement or otherwise, it distributes its products;

35 (15) "Motor vehicle", for the purposes of sections 407.810 to 407.835, any motor-driven
36 vehicle required to be registered pursuant to the provisions of chapter 301, except that, motorcycles
37 and all-terrain vehicles as defined in section 301.010 shall not be included. The term "motor
38 vehicle" shall also include any engine, transmission, or rear axle, regardless of whether attached to a
39 vehicle chassis, that is manufactured for the installation in any motor-driven vehicle with a gross
40 vehicle weight rating of more than sixteen thousand pounds that is registered for the operations on
41 the highways of this state under chapter 301;

42 (16) "New", when referring to motor vehicles or parts, means those motor vehicles or parts
43 which have not been held except as inventory, as that term is defined in subdivision (4) of section
44 400.9-109;

45 (17) "Person", a natural person, sole proprietor, partnership, corporation, or any other form
46 of business entity or organization;

47 (18) "Principal investor", the owner of the majority interest of any franchisee;

48 (19) "Reasonable", shall be based on the circumstances of a franchisee in the market served
49 by the franchisee;

1 (20) "Require", to impose upon a franchisee a provision not required by law or previously
2 agreed to by a franchisee in a franchise agreement;

3 (21) "Successor manufacturer", any manufacturer that succeeds, or assumes any part of the
4 business of, another manufacturer, referred to as the "predecessor manufacturer", as the result of:

5 (a) A change in ownership, operation, or control of the predecessor manufacturer by sale or
6 transfer of assets, corporate stock, or other equity interest, assignment, merger, consolidation,
7 combination, joint venture, redemption, court-approved sale, operation of law, or otherwise;

8 (b) The termination, suspension or cessation of a part or all of the business operations of the
9 predecessor manufacturer;

10 (c) The noncontinuation of the sale of the product line; or

11 (d) A change in distribution system by the predecessor manufacturer, whether through a
12 change in distributor or the predecessor manufacturer's decision to cease conducting business
13 through a distributor altogether.

14 407.1025. As used in sections 407.1025 to 407.1049, unless the context otherwise requires,
15 the following terms mean:

16 (1) "Administrative hearing commission", the body established in chapter 621 to conduct
17 administrative hearings;

18 (2) "All-terrain vehicle", any motorized vehicle manufactured and used exclusively for off-
19 highway use [~~which is fifty inches or less in width~~], with an unladen dry weight of [~~six~~] one
20 thousand five hundred pounds or less, traveling on three, four or more [~~low pressure~~] nonhighway
21 tires, with either:

22 (a) A seat designed to be straddled by the operator, and handlebars for steering control; or

23 (b) A width of fifty inches or less, measured from outside of tire rim to outside of tire rim,
24 regardless of seating or steering arrangement;

25 (3) "Coerce", to force a person to act in a given manner or to compel by pressure or threat
26 but shall not be construed to include the following:

27 (a) Good faith recommendations, exposition, argument, persuasion or attempts at
28 persuasion;

29 (b) Notice given in good faith to any franchisee of such franchisee's violation of terms or
30 provisions of such franchise or contractual agreement;

31 (c) Any other conduct set forth in section 407.1043 as a defense to an action brought
32 pursuant to sections 407.1025 to 407.1049; or

33 (d) Any other conduct set forth in sections 407.1025 to 407.1049 that is permitted of the
34 franchisor or is expressly excluded from coercion or a violation of sections 407.1025 to 407.1049;

35 (4) "Franchise", a written arrangement or contract for a definite or indefinite period, in
36 which a person grants to another person a license to use, or the right to grant to others a license to
37 use, a trade name, trademark, service mark, or related characteristics, in which there is a community
38 of interest in the marketing of goods or services, or both, at wholesale or retail, by agreement, lease
39 or otherwise, and in which the operation of the franchisee's business with respect to such franchise is
40 substantially reliant on the franchisor for the continued supply of franchised new motorcycles or all-
41 terrain vehicles, parts and accessories for sale at wholesale or retail;

42 (5) "Franchisee", a person to whom a franchise is granted;

43 (6) "Franchisor", a person who grants a franchise to another person;

44 (7) "Motorcycle", a motor vehicle operated on two wheels;

45 (8) "New", when referring to motorcycles or all-terrain vehicles or parts, means those
46 motorcycles or all-terrain vehicles or parts which have not been held except as inventory, as that
47 term is defined in subdivision (4) of section 400.9-109;

48 (9) "Person", a sole proprietor, partnership, corporation, or any other form of business
49 organization."; and

1
2 Further amend said bill, Page 71, Section 407.1329, Line 39, by inserting after all of said line the
3 following:

4 "577.001. As used in this chapter, the following terms mean:

5 (1) "Aggravated offender", a person who has been found guilty of:

6 (a) Three or more intoxication-related traffic offenses committed on separate occasions; or

7 (b) Two or more intoxication-related traffic offenses committed on separate occasions where
8 at least one of the intoxication-related traffic offenses is an offense committed in violation of any
9 state law, county or municipal ordinance, any federal offense, or any military offense in which the
10 defendant was operating a vehicle while intoxicated and another person was injured or killed;

11 (2) "Aggravated boating offender", a person who has been found guilty of:

12 (a) Three or more intoxication-related boating offenses; or

13 (b) Two or more intoxication-related boating offenses committed on separate occasions
14 where at least one of the intoxication-related boating offenses is an offense committed in violation
15 of any state law, county or municipal ordinance, any federal offense, or any military offense in
16 which the defendant was operating a vessel while intoxicated and another person was injured or
17 killed;

18 (3) "All-terrain vehicle", any motorized vehicle manufactured and used exclusively for off-
19 highway use [~~which is fifty inches or less in width~~], with an unladen dry weight of one thousand
20 five hundred pounds or less, traveling on three, four or more [~~low pressure~~] nonhighway tires, with
21 either:

22 (a) A seat designed to be straddled by the operator, or with a seat designed to carry more
23 than one person, and handlebars for steering control; or

24 (b) A width of fifty inches or less, measured from outside of tire rim to outside of tire rim,
25 regardless of seating or steering arrangement;

26 (4) "Court", any circuit, associate circuit, or municipal court, including traffic court, but not
27 any juvenile court or treatment court;

28 (5) "Chronic offender", a person who has been found guilty of:

29 (a) Four or more intoxication-related traffic offenses committed on separate occasions; or

30 (b) Three or more intoxication-related traffic offenses committed on separate occasions
31 where at least one of the intoxication-related traffic offenses is an offense committed in violation of
32 any state law, county or municipal ordinance, any federal offense, or any military offense in which
33 the defendant was operating a vehicle while intoxicated and another person was injured or killed; or

34 (c) Two or more intoxication-related traffic offenses committed on separate occasions where
35 both intoxication-related traffic offenses were offenses committed in violation of any state law,
36 county or municipal ordinance, any federal offense, or any military offense in which the defendant
37 was operating a vehicle while intoxicated and another person was injured or killed;

38 (6) "Chronic boating offender", a person who has been found guilty of:

39 (a) Four or more intoxication-related boating offenses; or

40 (b) Three or more intoxication-related boating offenses committed on separate occasions
41 where at least one of the intoxication-related boating offenses is an offense committed in violation
42 of any state law, county or municipal ordinance, any federal offense, or any military offense in
43 which the defendant was operating a vessel while intoxicated and another person was injured or
44 killed; or

45 (c) Two or more intoxication-related boating offenses committed on separate occasions
46 where both intoxication-related boating offenses were offenses committed in violation of any state
47 law, county or municipal ordinance, any federal offense, or any military offense in which the
48 defendant was operating a vessel while intoxicated and another person was injured or killed;

49 (7) "Continuous alcohol monitoring", automatically testing breath, blood, or transdermal

1 alcohol concentration levels and tampering attempts at least once every hour, regardless of the
2 location of the person who is being monitored, and regularly transmitting the data. Continuous
3 alcohol monitoring shall be considered an electronic monitoring service under subsection 3 of
4 section 217.690;

5 (8) "Controlled substance", a drug, substance, or immediate precursor in schedules I to V
6 listed in section 195.017;

7 (9) "Drive", "driving", "operates" or "operating", physically driving or operating a vehicle or
8 vessel;

9 (10) "Flight crew member", the pilot in command, copilots, flight engineers, and flight
10 navigators;

11 (11) "Habitual offender", a person who has been found guilty of:

12 (a) Five or more intoxication-related traffic offenses committed on separate occasions; or

13 (b) Four or more intoxication-related traffic offenses committed on separate occasions
14 where at least one of the intoxication-related traffic offenses is an offense committed in violation of
15 any state law, county or municipal ordinance, any federal offense, or any military offense in which
16 the defendant was operating a vehicle while intoxicated and another person was injured or killed; or

17 (c) Three or more intoxication-related traffic offenses committed on separate occasions
18 where at least two of the intoxication-related traffic offenses were offenses committed in violation
19 of any state law, county or municipal ordinance, any federal offense, or any military offense in
20 which the defendant was operating a vehicle while intoxicated and another person was injured or
21 killed;

22 (12) "Habitual boating offender", a person who has been found guilty of:

23 (a) Five or more intoxication-related boating offenses; or

24 (b) Four or more intoxication-related boating offenses committed on separate occasions
25 where at least one of the intoxication-related boating offenses is an offense committed in violation
26 of any state law, county or municipal ordinance, any federal offense, or any military offense in
27 which the defendant was operating a vessel while intoxicated and another person was injured or
28 killed; or

29 (c) Three or more intoxication-related boating offenses committed on separate occasions
30 where at least two of the intoxication-related boating offenses were offenses committed in violation
31 of any state law, county or municipal ordinance, any federal offense, or any military offense in
32 which the defendant was operating a vessel while intoxicated and another person was injured or
33 killed; or

34 (d) While boating while intoxicated, the defendant acted with criminal negligence to:

35 a. Cause the death of any person not a passenger in the vessel operated by the defendant,
36 including the death of an individual that results from the defendant's vessel leaving the water; or

37 b. Cause the death of two or more persons; or

38 c. Cause the death of any person while he or she has a blood alcohol content of at least
39 eighteen-hundredths of one percent by weight of alcohol in such person's blood;

40 (13) "Intoxicated" or "intoxicated condition", when a person is under the influence of
41 alcohol, a controlled substance, or drug, or any combination thereof;

42 (14) "Intoxication-related boating offense", operating a vessel while intoxicated; boating
43 while intoxicated; operating a vessel with excessive blood alcohol content or an offense in which the
44 defendant was operating a vessel while intoxicated and another person was injured or killed in
45 violation of any state law, county or municipal ordinance, any federal offense, or any military
46 offense;

47 (15) "Intoxication-related traffic offense", driving while intoxicated, driving with excessive
48 blood alcohol content, driving under the influence of alcohol or drugs in violation of a state law,
49 county or municipal ordinance, any federal offense, or any military offense, or an offense in which

1 the defendant was operating a vehicle while intoxicated and another person was injured or killed in
2 violation of any state law, county or municipal ordinance, any federal offense, or any military
3 offense;

4 (16) "Law enforcement officer" or "arresting officer", includes the definition of law
5 enforcement officer in section 556.061 and military policemen conducting traffic enforcement
6 operations on a federal military installation under military jurisdiction in the state of Missouri;

7 (17) "Operate a vessel", to physically control the movement of a vessel in motion under
8 mechanical or sail power in water;

9 (18) "Persistent offender", a person who has been found guilty of:

10 (a) Two or more intoxication-related traffic offenses committed on separate occasions; or

11 (b) One intoxication-related traffic offense committed in violation of any state law, county
12 or municipal ordinance, federal offense, or military offense in which the defendant was operating a
13 vehicle while intoxicated and another person was injured or killed;

14 (19) "Persistent boating offender", a person who has been found guilty of:

15 (a) Two or more intoxication-related boating offenses committed on separate occasions; or

16 (b) One intoxication-related boating offense committed in violation of any state law, county
17 or municipal ordinance, federal offense, or military offense in which the defendant was operating a
18 vessel while intoxicated and another person was injured or killed;

19 (20) "Prior offender", a person who has been found guilty of one intoxication-related traffic
20 offense, where such prior offense occurred within five years of the occurrence of the intoxication-
21 related traffic offense for which the person is charged;

22 (21) "Prior boating offender", a person who has been found guilty of one intoxication-
23 related boating offense, where such prior offense occurred within five years of the occurrence of the
24 intoxication-related boating offense for which the person is charged."; and

25
26 Further amend said bill by amending the title, enacting clause, and intersectional references
27 accordingly.
28
29