

FIRST REGULAR SESSION

HOUSE BILL NO. 748

100TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE TATE.

1663H.011

DANA RADEMAN MILLER, Chief Clerk

AN ACT

To repeal sections 304.001 and 304.044, RSMo, and to enact in lieu thereof two new sections relating to the operation of platoons on Missouri roads.

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

Section A. Sections 304.001 and 304.044, RSMo, are repealed and two new sections
2 enacted in lieu thereof, to be known as sections 304.001 and 304.044, to read as follows:

304.001. As used in this chapter and chapter 307, the following terms shall mean:

2 (1) "Abandoned property", any unattended motor vehicle, trailer, all-terrain vehicle,
3 outboard motor or vessel removed or subject to removal from public or private property as
4 provided in sections 304.155 and 304.157, whether or not operational. For any vehicle towed
5 from the scene of an accident at the request of law enforcement and not retrieved by the vehicle's
6 owner within five days of the accident, the agency requesting the tow shall be required to write
7 an abandoned property report or a crime inquiry and inspection report;

8 (2) "Commercial vehicle enforcement officers", employees of the Missouri state highway
9 patrol who are not members of the patrol but who are appointed by the superintendent of the
10 highway patrol to enforce the laws, rules, and regulations pertaining to commercial vehicles,
11 trailers, special mobile equipment and drivers of such vehicles;

12 (3) "Commercial vehicle inspectors", employees of the Missouri state highway patrol
13 who are not members of the patrol but who are appointed by the superintendent of the highway
14 patrol to supervise or operate permanent or portable weigh stations in the enforcement of
15 commercial vehicle laws;

16 (4) "Commission", the state highways and transportation commission;

17 (5) "Department", the state transportation department;

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.

18 (6) "Freeway", a divided state highway with four or more lanes, with no access to the
19 throughways except the established interchanges and with no at-grade crossings;

20 (7) "Interstate highway", a state highway included in the national system of interstate
21 highways located within the boundaries of Missouri, as officially designated or as may be
22 hereafter designated by the state highways and transportation commission with the approval of
23 the Secretary of Transportation, pursuant to Title 23, U.S.C., as amended;

24 (8) "Members of the patrol", the superintendent, lieutenant colonel, majors, captains,
25 director of radio, lieutenants, sergeants, corporals and patrolmen of the Missouri state highway
26 patrol;

27 (9) "Off-road vehicle", any vehicle designed for or capable of cross-country travel on or
28 immediately over land, water, ice, snow, marsh, swampland, or other natural terrain without
29 benefit of a road or trail:

30 (a) Including, without limitation, the following:

31 a. Jeeps;

32 b. All-terrain vehicles;

33 c. Dune buggies;

34 d. Multiwheel drive or low-pressure tire vehicles;

35 e. Vehicle using an endless belt, or tread or treads, or a combination of tread and
36 low-pressure tires;

37 f. Motorcycles, trail bikes, minibikes and related vehicles;

38 g. Any other means of transportation deriving power from any source other than muscle
39 or wind; and

40 (b) Excluding the following:

41 a. Registered motorboats;

42 b. Aircraft;

43 c. Any military, fire or law enforcement vehicle;

44 d. Farm-type tractors and other self-propelled equipment for harvesting and transporting
45 farm or forest products;

46 e. Any vehicle being used for farm purposes, earth moving, or construction while being
47 used for such purposes on the work site;

48 f. Self-propelled lawnmowers, or lawn or garden tractors, or golf carts, while being used
49 exclusively for their designed purpose; and

50 g. Any vehicle being used for the purpose of transporting a handicapped person;

51 (10) "Person", any natural person, corporation, or other legal entity;

52 (11) "**Platoon**", a group of individual motor vehicles utilizing vehicle-to-vehicle
53 communications to travel in a unified manner at electronically coordinated speeds;

54 (12) "Right-of-way", the entire width of land between the boundary lines of a state
55 highway, including any roadway;

56 ~~[(12)]~~ (13) "Roadway", that portion of a state highway ordinarily used for vehicular
57 travel, exclusive of the berm or shoulder;

58 ~~[(13)]~~ (14) "State highway", a highway constructed or maintained by the state highways
59 and transportation commission with the aid of state funds or United States government funds,
60 or any highway included by authority of law in the state highway system, including all
61 right-of-way;

62 ~~[(14)]~~ (15) "Towing company", any person or entity which tows, removes or stores
63 abandoned property;

64 ~~[(15)]~~ (16) "Urbanized area", an area with a population of fifty thousand or more
65 designated by the Bureau of the Census, within boundaries to be fixed by the state highways and
66 transportation commission and local officials in cooperation with each other and approved by
67 the Secretary of Transportation. The boundary of an urbanized area shall, at a minimum,
68 encompass the entire urbanized area as designed by the Bureau of the Census.

304.044. 1. The following terms as used in this section shall mean:

2 (1) "Bus", any vehicle or motor car designed and used for the purpose of carrying more
3 than seven persons;

4 (2) "Truck", any vehicle, machine, tractor, trailer or semitrailer, or any combination
5 thereof, propelled or drawn by mechanical power and designed or used in the transportation of
6 property upon the highways.

7 2. The driver of any truck or bus, when traveling upon a public highway of this state
8 outside of a business or residential district, shall not follow within three hundred feet of another
9 such vehicle; provided, the provisions of this section shall not be construed to prevent the
10 overtaking and passing, by any such truck or bus, of another similar vehicle.

11 3. **The following-distance provisions of this section shall not apply to a nonlead**
12 **vehicle in a platoon, as such term is defined in section 304.001.**

13 4. Any person who shall violate the provisions of this section shall be deemed guilty of
14 a class C misdemeanor, and upon conviction thereof shall be punished accordingly.

15 5. **The highways and transportation commission is authorized to promulgate**
16 **administrative rules that are reasonable and necessary to implement platooning. Any rule**
17 **or portion of a rule, as that term is defined in section 536.010, that is created under the**
18 **authority delegated in this section shall become effective only if it complies with and is**
19 **subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This**
20 **section and chapter 536 are nonseverable and if any of the powers vested with the general**
21 **assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove**

22 **and annul a rule are subsequently held unconstitutional, then the grant of rulemaking**
23 **authority and any rule proposed or adopted after August 28, 2019, shall be invalid and**
24 **void.**

✓