

SECOND REGULAR SESSION

# SENATE BILL NO. 758

93RD GENERAL ASSEMBLY

INTRODUCED BY SENATOR ENGLER.

Pre-filed December 15, 2005, and ordered printed.

TERRY L. SPIELER, Secretary.

3462S.011

## AN ACT

To repeal section 304.015, RSMo, and to enact in lieu thereof one new section relating to lane restrictions for large trucks, with penalty provisions.

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

Section A. Section 304.015, RSMo, is repealed and one new section  
2 enacted in lieu thereof, to be known as section 304.015, to read as follows:

304.015. 1. All vehicles not in motion shall be placed with their right side  
2 as near the right-hand side of the highway as practicable, except on streets of  
3 municipalities where vehicles are obliged to move in one direction only or parking  
4 of motor vehicles is regulated by ordinance.

5 2. Upon all public roads or highways of sufficient width a vehicle shall be  
6 driven upon the right half of the roadway, except as follows:

7 (1) When overtaking and passing another vehicle proceeding in the same  
8 direction pursuant to the rules governing such movement;

9 (2) When placing a vehicle in position for and when such vehicle is  
10 lawfully making a left turn in compliance with the provisions of sections 304.014  
11 to 304.026 or traffic regulations thereunder or of municipalities;

12 (3) When the right half of a roadway is closed to traffic while under  
13 construction or repair;

14 (4) Upon a roadway designated by local ordinance as a one-way street and  
15 marked or signed for one-way traffic.

16 3. It is unlawful to drive any vehicle upon any highway or road which has  
17 been divided into two or more roadways by means of a physical barrier or by  
18 means of a dividing section or delineated by curbs, lines or other markings on the  
19 roadway, except to the right of such barrier or dividing section, or to make any  
20 left turn or semicircular or U-turn on any such divided highway, except at an

21 intersection or interchange or at any signed location designated by the state  
22 highways and transportation commission or the department of  
23 transportation. The provisions of this subsection shall not apply to emergency  
24 vehicles, law enforcement vehicles or to vehicles owned by the commission or the  
25 department.

26 4. The authorities in charge of any highway or the state highway patrol  
27 may erect signs temporarily designating lanes to be used by traffic moving in a  
28 particular direction, regardless of the center line of the highway, and all members  
29 of the Missouri highway patrol and other peace officers may direct traffic in  
30 conformance with such signs. When authorized signs have been erected  
31 designating off-center traffic lanes, no person shall disobey the instructions given  
32 by such signs.

33 5. Whenever any roadway has been divided into three or more clearly  
34 marked lanes for traffic, the following rules in addition to all others consistent  
35 herewith shall apply:

36 (1) A vehicle shall be driven as nearly as practicable entirely within a  
37 single lane and shall not be moved from such lane until the driver has first  
38 ascertained that such movement can be made with safety;

39 (2) Upon a roadway which is divided into three lanes a vehicle shall not  
40 be driven in the center lane, except when overtaking and passing another vehicle  
41 where the roadway ahead is clearly visible and such center lane is clear of traffic  
42 within a safe distance, or in preparation for a left turn or where such center lane  
43 is at the time allocated exclusively to traffic moving in the direction the vehicle  
44 is proceeding and is sign-posted to give notice of such allocation;

45 (3) Upon all highways any vehicle proceeding at less than the normal  
46 speed of traffic thereon shall be driven in the right-hand lane for traffic or as  
47 close as practicable to the right-hand edge or curb, except as otherwise provided  
48 in sections 304.014 to 304.026;

49 (4) Official signs may be erected by the highways and transportation  
50 commission or the highway patrol may place temporary signs directing slow-  
51 moving traffic to use a designated lane or allocating specified lanes to traffic  
52 moving in the same direction and drivers of vehicles shall obey the directions of  
53 every such sign;

54 (5) Drivers of vehicles proceeding in opposite directions shall pass each  
55 other to the right, and except when a roadway has been divided into traffic lanes,  
56 each driver shall give to the other at least one-half of the main traveled portion

57 of the roadway whenever possible.

58           6. All vehicles in motion upon a highway having two or more lanes of  
59 traffic proceeding in the same direction shall be driven in the right-hand lane  
60 except when overtaking and passing another vehicle or when preparing to make  
61 a proper left turn or when otherwise directed by traffic markings, signs or signals.

62           7. **All trucks equipped with more than six wheels shall not be**  
63 **driven in the far left-hand lane on any interstate highways, freeways,**  
64 **or expressways having three or more lanes of traffic proceeding in the**  
65 **same direction. This restriction shall not apply when:**

66           (1) **It is reasonably necessary for the operator of the truck to**  
67 **respond to emergency conditions;**

68           (2) **It is necessary for the operator of the truck to avoid actual or**  
69 **potential traffic moving onto the right lane from an acceleration or**  
70 **merging lane;**

71           (3) **It is necessary for the operator of the truck to follow traffic**  
72 **control devices that direct use of a lane other than the right lane; or**

73           (4) **The right half of a roadway is closed to traffic while under**  
74 **construction or repair.**

75           8. Violation of this section shall be deemed an infraction unless such  
76 violation causes an immediate threat of an accident, in which case such violation  
77 shall be deemed a class C misdemeanor, or unless an accident results from such  
78 violation, in which case such violation shall be deemed a class A misdemeanor.

79           9. **As used in subsection 7 of this section, the word "truck" means**  
80 **any vehicle, machine, tractor, trailer, semitrailer, or any combination**  
81 **thereof, propelled or drawn by mechanical power and designed for or**  
82 **used in the transportation of property upon the highways. The term**  
83 **"truck" also includes a commercial motor vehicle as defined in section**  
84 **301.010, RSMo. The term "truck" shall not include buses or**  
85 **motorcoaches.**

✓