

CONFERENCE COMMITTEE SUBSTITUTE

FOR

SENATE SUBSTITUTE

FOR

HOUSE BILL NO. 1707

AN ACT

To repeal sections 174.709, 174.712, 178.862, 300.320, 304.154, 610.120, and 610.122, RSMo, and to enact in lieu thereof seven new sections relating to the operation of motor vehicles.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF MISSOURI, AS FOLLOWS:

Section A. Sections 174.709, 174.712, 178.862, 300.230, 304.154, 610.120, and 610.122, RSMo, are repealed and seven new sections enacted in lieu thereof, to be known as sections 174.709, 174.712, 178.862, 304.154, 389.065, 610.120, and 610.122, to read as follows:

174.709. 1. For the purpose of promoting public safety, health, and general welfare and to protect life and property, the board of regents or board of governors of any state college or university or the board of trustees of any community college district may establish regulations to control vehicular traffic, including speed regulations, on any thoroughfare owned or maintained by the state college or university or community college district and located within any of its campuses. Such regulations shall be consistent with the provisions of the general motor vehicle laws of this state. Upon adoption of such

1 regulations, the state college or university or community college  
2 shall have the authority to place official traffic control  
3 signals, as defined in section 300.010, on campus property.

4 2. The regulations established by the board of regents or  
5 board of governors of any state college or university or board of  
6 trustees of any community college district under subsection 1 of  
7 this section shall be codified, printed, and distributed for  
8 public use. Adequate signs displaying the speed limit shall be  
9 posted along such thoroughfares.

10 3. Violations of any regulation established under this  
11 section shall have the same effect as a violation of municipal  
12 ordinances adopted under section 304.120, with penalty provisions  
13 as provided in section 304.570. Points assessed against any  
14 person under section 302.302 for a violation of this section  
15 shall be the same as provided for a violation of a county or  
16 municipal ordinance.

17 4. The provisions of this section shall apply only to  
18 moving violations.

19 174.712. All motor vehicles operated upon any thoroughfare  
20 owned or maintained by a state college or university or community  
21 college district and located within any of its campuses shall be  
22 subject to the provisions of the general motor vehicle laws of  
23 this state, including chapters 301, 302, 303, 304, 307, and 577.  
24 Violations shall have the same effect as though such had occurred  
25 on public roads, streets, or highways of this state.

26 178.862. 1. The trustees of any community college district  
27 of this state may appoint and employ as many college police  
28 officers as they may deem necessary to protect persons, property,

1 and to preserve peace and good order only in the public  
2 buildings, properties, grounds, and other facilities and  
3 locations over which they have charge or control.

4 2. The college police officers, before they enter upon  
5 their duties, shall take and subscribe an oath of office before  
6 some officer authorized to administer oaths, to faithfully and  
7 impartially discharge the duties thereof, which oath shall be  
8 filed in the office of the college district board of trustees,  
9 and the secretary of the board shall give each college police  
10 officer so appointed and qualified a certificate of appointment,  
11 under the seal of the board of trustees, which certificate shall  
12 empower him with the same authority to maintain order, preserve  
13 peace and make arrests as is now held by peace officers; the  
14 college police officer may in addition expel from the public  
15 buildings, campuses, and grounds, persons violating the rules and  
16 regulations that may be prescribed by the board of trustees or  
17 others under the authority of the board. Such officer or  
18 employee of the community college as may be designated by the  
19 board of trustees shall have immediate charge, control and  
20 supervision of college police officers appointed by authority of  
21 this section. Such college police officers shall have  
22 satisfactorily completed before appointment[, or within six  
23 months after appointment,] a training course for [college police]  
24 peace officers [which shall consist of at least three hundred  
25 twenty hours] as [prescribed by the superintendent of the  
26 Missouri state highway patrol. The community college district  
27 shall reimburse all such college police officers appointed by  
28 them who complete the training course for all reasonable and

1 necessary expenses incurred in taking the training course, and  
2 shall reimburse the highway patrol for any expenses directly  
3 relating to the prescribed or holding of a training course which  
4 are recommended by the patrol] required under chapter 590 or, by  
5 virtue of previous experience or other training, have met the  
6 requirements of chapter 590.

7 3. College police officers also shall have authority to  
8 establish and enforce regulations to control vehicular traffic  
9 and enforce general motor vehicle laws of this state on any  
10 thoroughfare owned or maintained by the college district as  
11 proscribed under sections 174.709 and 174.712.

12 4. Nothing herein shall be construed as denying the board  
13 of trustees the right to appoint guards or watchmen who shall not  
14 be given the authority and powers hereby authorized.

15 304.154. 1. Beginning January 1, [2005] 2015, a towing  
16 company operating a tow truck pursuant to the authority granted  
17 in section 304.155 or 304.157 shall:

18 (1) Have and occupy a verifiable business address and  
19 display such address in a location visible from the street;

20 (2) Have a fenced, secure, and lighted storage lot or an  
21 enclosed, secure building for the storage of motor vehicles, with  
22 a total area for storing vehicles, either inside or outside, of  
23 at least two thousand square feet and fencing a minimum of seven  
24 feet high;

25 (3) Be available twenty-four hours a day, seven days a  
26 week. Availability shall mean that an employee of the towing  
27 company or an answering service answered by a person is able to  
28 respond to a tow request;

1           (4) Have and maintain an operational telephone with the  
2 telephone number published or available through directory  
3 assistance;

4           [(4)] (5) Maintain a valid insurance policy issued by an  
5 insurer authorized to do business in this state, or a bond or  
6 other acceptable surety providing coverage for the death of, or  
7 injury to, persons and damage to property for each accident or  
8 occurrence in the amount [of at least five hundred thousand  
9 dollars per incident] prescribed by the United States Department  
10 of Transportation;

11           [(5)] (6) Provide workers' compensation insurance for all  
12 employees of the towing company if required by chapter 287; [and]

13           [(6)] (7) Maintain current motor vehicle registrations on  
14 all tow trucks currently operated within the towing company  
15 fleet.

16           2. The initial tow performed under sections 304.155 and  
17 304.157 shall remain in the state of Missouri unless authorized  
18 by the vehicle owner or their agent.

19           3. Tows performed under section 304.155 shall not be  
20 dispatched through a third party dispatch system or management  
21 company, unless hired by the towing company. The provisions of  
22 this subsection shall not apply to any home rule city with more  
23 than four hundred thousand inhabitants and located in more than  
24 one county.

25           4. Counties may adopt ordinances with respect to towing  
26 company standards in addition to the minimum standards contained  
27 in this section. A towing company located in a county of the  
28 second, third, [and] or fourth classification or located in any

1 county of the first classification with more than one hundred one  
2 thousand but fewer than one hundred fifteen thousand inhabitants  
3 is exempt from the provisions of this section.

4 389.065. An engineer, conductor, brakeman, or any other  
5 member of the crew of a locomotive or train being operated upon  
6 rails, including operation on a railroad crossing over a public  
7 street, road, or highway, shall not be required to display a  
8 driver's license to any law enforcement officer in connection  
9 with the operation of a locomotive or train within this state.

10 610.120. 1. Except as otherwise provided under section  
11 610.124, records required to be closed shall not be destroyed;  
12 they shall be inaccessible to the general public and to all  
13 persons other than the defendant except as provided in this  
14 section and section 43.507. The closed records shall be  
15 available to: criminal justice agencies for the administration  
16 of criminal justice pursuant to section 43.500, criminal justice  
17 employment, screening persons with access to criminal justice  
18 facilities, procedures, and sensitive information; to law  
19 enforcement agencies for issuance or renewal of a license,  
20 permit, certification, or registration of authority from such  
21 agency including but not limited to watchmen, security personnel,  
22 private investigators, and persons seeking permits to purchase or  
23 possess a firearm; those agencies authorized by section 43.543 to  
24 submit and when submitting fingerprints to the central  
25 repository; the sentencing advisory commission created in section  
26 558.019 for the purpose of studying sentencing practices in  
27 accordance with section 43.507; to qualified entities for the  
28 purpose of screening providers defined in section 43.540; the

1 department of revenue for driver license administration; the  
2 division of workers' compensation for the purposes of determining  
3 eligibility for crime victims' compensation pursuant to sections  
4 595.010 to 595.075, department of health and senior services for  
5 the purpose of licensing and regulating facilities and regulating  
6 in-home services provider agencies and federal agencies for  
7 purposes of criminal justice administration, criminal justice  
8 employment, child, elderly, or disabled care, and for such  
9 investigative purposes as authorized by law or presidential  
10 executive order.

11 2. These records shall be made available only for the  
12 purposes and to the entities listed in this section. A criminal  
13 justice agency receiving a request for criminal history  
14 information under its control may require positive  
15 identification, to include fingerprints of the subject of the  
16 record search, prior to releasing closed record information.  
17 Dissemination of closed and open records from the Missouri  
18 criminal records repository shall be in accordance with section  
19 43.509. All records which are closed records shall be removed  
20 from the records of the courts, administrative agencies, and law  
21 enforcement agencies which are available to the public and shall  
22 be kept in separate records which are to be held confidential  
23 and, where possible, pages of the public record shall be retyped  
24 or rewritten omitting those portions of the record which deal  
25 with the defendant's case. If retyping or rewriting is not  
26 feasible because of the permanent nature of the record books,  
27 such record entries shall be blacked out and recopied in a  
28 confidential book.

1           610.122. 1. Notwithstanding other provisions of law to the  
2 contrary, any record of arrest recorded pursuant to section  
3 43.503 may be expunged if:

4           (1) The court determines that the arrest was based on false  
5 information and the following conditions exist:

6           [(1)] (a) There is no probable cause, at the time of the  
7 action to expunge, to believe the individual committed the  
8 offense;

9           [(2)] (b) No charges will be pursued as a result of the  
10 arrest; and

11           [(3)] The subject of the arrest has no prior or subsequent  
12 misdemeanor or felony convictions;

13           (4)] (c) The subject of the arrest did not receive a  
14 suspended imposition of sentence for the offense for which the  
15 arrest was made or for any offense related to the arrest; [and

16           (5) No civil action is pending relating to the arrest or  
17 the records sought to be expunged] or

18           (2) The court determines the person was arrested for, or  
19 was subsequently charged with, a misdemeanor offense of chapter  
20 303 or any moving violation as the term "moving violation" is  
21 defined under section 302.010, except for any intoxication-  
22 related traffic offense as "intoxication-related traffic offense"  
23 is defined under section 577.023 and:

24           (a) Each such offense or violation related to the arrest  
25 was subsequently nolle prossed or dismissed, or the accused was  
26 found not guilty of each offense or violation; and

27           (b) The person is not a commercial driver's license holder  
28 and was not operating a commercial motor vehicle at the time of



1 the arrest.

2 2. A record of arrest shall only be eligible for  
3 expungement under this section if:

4 (1) The subject of the arrest has no prior or subsequent  
5 misdemeanor or felony convictions; and

6 (2) No civil action is pending relating to the arrest or  
7 the records sought to be expunged.

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9 [300.320. A funeral composed of a procession of  
10 vehicles shall be identified as such by the display  
11 upon the outside of each vehicle of a pennant or other  
12 identifying insignia or by such other method as may be  
13 determined and designated by the traffic division.]  
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