

FIRST REGULAR SESSION

SENATE BILL NO. 370

98TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR MUNZLINGER.

Read 1st time February 2, 2015, and ordered printed.

ADRIANE D. CROUSE, Secretary.

1798S.01I

AN ACT

To amend chapter 304, RSMo, by adding thereto one new section relating to automated traffic enforcement, with a penalty provision.

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

Section A. Chapter 304, RSMo, is amended by adding thereto one new section, to be known as section 304.840, to read as follows:

304.840. 1. Any jurisdiction utilizing an automated traffic enforcement system to enforce speed limits on any road not included as part of the state highway system shall:

(1) Restrict the use of such system to only school zones and construction work zones;

(2) Adopt an ordinance which authorizes the jurisdiction's utilization of the automated traffic enforcement system;

(3) Employ the services of a POST certified law enforcement officer to review and determine whether a speed limit violation occurred under the automated traffic enforcement system;

(4) Display signs located a sufficient distance in advance of each intersection approach containing the following: "SPEED LIMIT XX; PHOTO ENFORCED";

(5) Identify the end of an automated speed limit enforcement system zone with a sign containing the following: "END PHOTO ENFORCEMENT"; and

(6) Conduct a public awareness campaign at least thirty days prior to issuing citations.

2. If a jurisdiction uses an automated speed limit enforcement system in a school zone, the following conditions shall apply:

(1) Where school speed limit signing is installed, flashers shall

22 be installed with the signing;

23 (2) The flashers shall only be activated at times when the school
24 speed limit applies;

25 (3) The speed limit shall only be active when children are likely
26 to be present; and

27 (4) The system shall not be allowed in school zones without a
28 reduced speed limit or flashers.

29 3. If a jurisdiction uses an automated speed limit enforcement
30 system in a work zone, the following conditions shall apply:

31 (1) The work zone shall:

32 (a) Have a duration of at least four hours;

33 (b) Have reduced speed limits in effect;

34 (c) Have a normal posted speed limit of sixty miles per hour or
35 greater; and

36 (d) Be located within the jurisdiction's boundaries.

37 (2) The work zone shall be marked by "ROAD WORK AHEAD" and
38 "END WORK ZONE" signs;

39 (3) The system shall only be used if work zone workers are
40 present and only for the duration of the work zone; and

41 (4) Only one system shall be installed and in use per work zone.

42 4. Notwithstanding any other provision of law to the contrary,
43 in order for any jurisdiction to utilize an automated traffic enforcement
44 system to enforce speed limit violations on any road included as part
45 of the state highway system, the jurisdiction shall obtain the prior
46 approval of the state highways and transportation commission
47 evidenced by a contract executed between the jurisdiction and the
48 commission.

49 5. Notwithstanding the provisions of sections 302.225 or 302.302
50 or any other provision of law to the contrary, any conviction for an
51 infraction based solely upon evidence obtained from an automated
52 traffic enforcement system to enforce speed limits shall not have a
53 point value under section 302.302, the director of revenue shall not
54 assess points for a conviction of such an infraction, and no court having
55 jurisdiction over such violations shall forward a record of any plea or
56 finding of guilt of any person in the court for such infraction to the
57 department of revenue.

58 6. Any person found to have committed a violation of a county or

59 **municipal traffic ordinance or regulation that was charged solely upon**
60 **evidence obtained from an automated traffic enforcement system to**
61 **enforce speed limits shall be guilty of an infraction punishable by a**
62 **fine in an amount not to exceed one hundred thirty-five dollars.**

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