

FIRST REGULAR SESSION

SENATE BILL NO. 243

99TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR HEGEMAN.

Pre-filed January 3, 2017, and ordered printed.

1052S.01I

ADRIANE D. CROUSE, Secretary.

AN ACT

To repeal sections 304.001, 304.017, and 304.044, RSMo, and to enact in lieu thereof three new sections relating to the use of motor vehicle platooning systems on Missouri roads, with existing penalty provisions.

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

Section A. Sections 304.001, 304.017, and 304.044, RSMo, are repealed
2 and three new sections enacted in lieu thereof, to be known as sections 304.001,
3 304.017, and 304.044, to read as follows:

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

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

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

15 (3) "Commercial vehicle inspectors", employees of the Missouri state
16 highway patrol who are not members of the patrol but who are appointed by the
17 superintendent of the highway patrol to supervise or operate permanent or

EXPLANATION—Matter enclosed in bold-faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.

18 portable weigh stations in the enforcement of commercial vehicle laws;

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

20 (5) "**Connected braking system**", a system by which the braking

21 of one vehicle is electronically coordinated with the braking systems

22 of one or more other vehicles;

23 (6) "Department", the state transportation department;

24 [(6)] (7) "Freeway", a divided state highway with four or more lanes, with

25 no access to the throughways except the established interchanges and with no

26 at-grade crossings;

27 [(7)] (8) "Interstate highway", a state highway included in the national

28 system of interstate highways located within the boundaries of Missouri, as

29 officially designated or as may be hereafter designated by the state highways and

30 transportation commission with the approval of the Secretary of Transportation,

31 pursuant to Title 23, U.S.C., as amended;

32 [(8)] (9) "Members of the patrol", the superintendent, lieutenant colonel,

33 majors, captains, director of radio, lieutenants, sergeants, corporals and

34 patrolmen of the Missouri state highway patrol;

35 [(9)] (10) "Off-road vehicle", any vehicle designed for or capable of

36 cross-country travel on or immediately over land, water, ice, snow, marsh,

37 swampland, or other natural terrain without benefit of a road or trail:

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

39 a. Jeeps;

40 b. All-terrain vehicles;

41 c. Dune buggies;

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

43 e. Vehicle using an endless belt, or tread or treads, or a combination of

44 tread and low-pressure tires;

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

46 g. Any other means of transportation deriving power from any source

47 other than muscle or wind; and

48 (b) Excluding the following:

49 a. Registered motorboats;

50 b. Aircraft;

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

52 d. Farm-type tractors and other self-propelled equipment for harvesting

53 and transporting farm or forest products;

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

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

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

60 [(10)] **(11)** "Person", any natural person, corporation, or other legal
61 entity;

62 **[(11)] (12) "Platoon", a group of individual motor vehicles that
63 are traveling in a unified manner at electronically coordinated speeds
64 through use of a connected braking system;**

65 **(13) "Right-of-way", the entire width of land between the boundary lines
66 of a state highway, including any roadway;**

67 **[(12)] (14) "Roadway", that portion of a state highway ordinarily used for
68 vehicular travel, exclusive of the berm or shoulder;**

69 **[(13)] (15) "State highway", a highway constructed or maintained by the
70 state highways and transportation commission with the aid of state funds or
71 United States government funds, or any highway included by authority of law in
72 the state highway system, including all right-of-way;**

73 **[(14)] (16) "Towing company", any person or entity which tows, removes
74 or stores abandoned property;**

75 **[(15)] (17) "Urbanized area", an area with a population of fifty thousand
76 or more designated by the Bureau of the Census, within boundaries to be fixed
77 by the state highways and transportation commission and local officials in
78 cooperation with each other and approved by the Secretary of
79 Transportation. The boundary of an urbanized area shall, at a minimum,
80 encompass the entire urbanized area as designed by the Bureau of the Census.**

304.017. 1. The driver of a vehicle shall not follow another vehicle more
2 closely than is reasonably safe and prudent, having due regard for the speed of
3 such vehicle and the traffic upon and the condition of the roadway **and the**
4 presence of any connected braking system operating on the
5 vehicle. Vehicles being driven upon any roadway outside of a business or
6 residence district in a caravan or motorcade, whether or not towing other
7 vehicles, shall be so operated, except in a funeral procession or in a duly
8 authorized parade, so as to allow sufficient space between each such vehicle or
9 combination of vehicles as to enable any other vehicle to overtake or pass such

10 vehicles in safety. This section shall in no manner affect section 304.044 relating
11 to distance between trucks traveling on the highway.

12 2. Violation of this section shall be deemed a class C misdemeanor.

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
3 carrying more than seven persons;

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

7 2. **Except as provided in subsection 4 of this section**, the driver of
8 any truck or bus, when traveling upon a public highway of this state outside of
9 a business or residential district, shall not follow within three hundred feet of
10 another such vehicle; provided, the provisions of this section shall not be
11 construed to prevent the overtaking and passing, by any such truck or bus, of
12 another similar vehicle.

13 3. **Except as provided in subsection 4 of this section**, any person
14 who shall violate the provisions of this section shall be deemed guilty of a class
15 C misdemeanor, and upon conviction thereof shall be punished accordingly.

16 4. **Subsections 2 and 3 of this section shall not apply to a vehicle
17 that is part of a platoon, as defined in section 304.001 so long as:**

18 (1) An appropriately endorsed driver who holds a valid
19 commercial driver's license is present behind the wheel of each
20 commercial motor vehicle in the platoon; and

21 (2) The vehicle adheres to all other relevant federal and Missouri
22 regulations, including without limitation this section and sections
23 304.012 and 304.017.

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