

FIRST REGULAR SESSION

# SENATE BILL NO. 391

99TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR MUNZLINGER.

Read 1st time February 2, 2017, and ordered printed.

ADRIANE D. CROUSE, Secretary.

1667S.02I

## AN ACT

To repeal section 304.120, RSMo, and to enact in lieu thereof one new section relating to commercial motor vehicle routes.

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

Section A. Section 304.120, RSMo, is repealed and one new section  
2 enacted in lieu thereof, to be known as section 304.120, to read as follows:

304.120. 1. Municipalities, by ordinance, may establish reasonable speed  
2 regulations for motor vehicles within the limits of such municipalities. No person  
3 who is not a resident of such municipality and who has not been within the limits  
4 thereof for a continuous period of more than forty-eight hours shall be convicted  
5 of a violation of such ordinances, unless it is shown by competent evidence that  
6 there was posted at the place where the boundary of such municipality joins or  
7 crosses any highway a sign displaying in black letters not less than four inches  
8 high and one inch wide on a white background the speed fixed by such  
9 municipality so that such sign may be clearly seen by operators and drivers from  
10 their vehicles upon entering such municipality.

11 2. Municipalities, by ordinance, may:

12 (1) Make additional rules of the road or traffic regulations to meet their  
13 needs and traffic conditions;

14 (2) Establish one-way streets and provide for the regulation of vehicles  
15 thereon;

16 (3) Require vehicles to stop before crossing certain designated streets and  
17 boulevards;

18 (4) Limit the use of certain designated streets and boulevards to  
19 passenger vehicles, except that each municipality shall allow at least one route,  
20 with lawful traffic movement and access from both directions, to be available for

21 use by commercial motor vehicles to access any roads in the state highway  
22 system. Under no circumstances shall the provisions of this subdivision be  
23 construed to authorize a municipality to limit the use of all routes in the  
24 municipality. **The use by commercial motor vehicles of a municipality-**  
25 **designated route for such vehicles in compliance with any ordinances**  
26 **of the designating municipality shall not be deemed a nuisance or**  
27 **evidence of the nuisance. Nothing contained in this subdivision is**  
28 **intended to modify or limit recovery for any claim that is independent**  
29 **of a nuisance claim;**

30 (5) Prohibit the use of certain designated streets to vehicles with metal  
31 tires, or solid rubber tires;

32 (6) Regulate the parking of vehicles on streets by the installation of  
33 parking meters for limiting the time of parking and exacting a fee therefor or by  
34 the adoption of any other regulatory method that is reasonable and practical, and  
35 prohibit or control left-hand turns of vehicles;

36 (7) Require the use of signaling devices on all motor vehicles; and

37 (8) Prohibit sound-producing warning devices, except horns directed  
38 forward.

39 3. No ordinance shall be valid which contains provisions contrary to or in  
40 conflict with this chapter, except as herein provided.

41 4. No ordinance shall impose liability on the owner-lessor of a motor  
42 vehicle when the vehicle is being permissively used by a lessee and is illegally  
43 parked or operated if the registered owner-lessor of such vehicle furnishes the  
44 name, address and operator's license number of the person renting or leasing the  
45 vehicle at the time the violation occurred to the proper municipal authority  
46 within three working days from the time of receipt of written request for such  
47 information. Any registered owner-lessor who fails or refuses to provide such  
48 information within the period required by this subsection shall be liable for the  
49 imposition of any fine established by municipal ordinance for the  
50 violation. Provided, however, if a leased motor vehicle is illegally parked due to  
51 a defect in such vehicle, which renders it inoperable, not caused by the fault or  
52 neglect of the lessee, then the lessor shall be liable on any violation for illegal  
53 parking of such vehicle.

54 5. No ordinance shall deny the use of commercial motor vehicles on all  
55 routes within the municipality. For purposes of this section, the term "route"  
56 shall mean any state road, county road, or public street, avenue, boulevard, or

57 parkway.

58           6. No ordinance shall prohibit the operator of a motor vehicle from being  
59 in an intersection while a red signal is being displayed if the operator of the  
60 motor vehicle entered the intersection during a yellow signal interval. The  
61 provisions of this subsection shall supercede any local laws, ordinances, orders,  
62 rules, or regulations enacted by a county, municipality, or other political  
63 subdivision that are to the contrary.

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