

FIRST REGULAR SESSION

SENATE BILL NO. 424

99TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR HOLSMAN.

Read 1st time February 15, 2017, and ordered printed.

ADRIANE D. CROUSE, Secretary.

1858S.011

AN ACT

To amend chapter 304, RSMo, by adding thereto one new section relating to motorcycle profiling.

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 304.149, to read as follows:

304.149. 1. For purposes of this section, "motorcycle profiling" means the illegal use of the fact that a person rides a motorcycle or wears motorcycle-related accoutrements as a factor in deciding to stop and question, take enforcement action, arrest, or search a person or vehicle with or without a legal basis under the United States Constitution or Missouri Constitution.

2. By January 1, 2018, the department of public safety shall develop a statewide model training policy designed to eliminate motorcycle profiling from law enforcement in the state. The model anti-motorcycle profiling policy shall include training in:

- (1) Acts that constitute motorcycle profiling;**
- (2) Tactics for avoiding motorcycle profiling; and**
- (3) Methods for peace officers and their supervisors to identify and respond to motorcycle profiling by other peace officers.**

3. By November 1, 2018, the chief law enforcement officer of each state and local law enforcement agency shall:

- (1) Establish and enforce a written anti-motorcycle profiling policy governing the conduct of peace officers engaged in stops of citizens which shall at a minimum, comply with the requirements of the model policy adopted by the department of public safety under subsection 2 of this section;**

22 **(2) Ensure that each peace officer receives a copy of the agency's**
23 **anti-motorcycle profiling policy;**

24 **(3) Ensure that each peace officer is aware of the policy's**
25 **purpose and prohibited conduct;**

26 **(4) Require peace officers to give their name and badge number**
27 **to each motorcycle operator stopped for any reason; and**

28 **(5) Certify to the department of public safety that the agency has**
29 **adopted a written policy in compliance with the board's model policy.**

30 **4. The department of public safety has authority to inspect state**
31 **and local agency policies to ensure compliance with subsection 3 of this**
32 **section. The department of public safety may conduct an inspection**
33 **based upon a complaint received about a particular agency or through**
34 **a random selection process.**

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Bill

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