

# SENATE BILL NO. 1299

103RD GENERAL ASSEMBLY

INTRODUCED BY SENATOR BRATTIN.

5221S.02I

KRISTINA MARTIN, Secretary

## AN ACT

To repeal sections 304.015, 304.151, and 479.359, RSMo, and to enact in lieu thereof three new sections relating to transportation, with penalty provisions.

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

Section A. Sections 304.015, 304.151, and 479.359, RSMo,  
2 are repealed and three new sections enacted in lieu thereof, to  
3 be known as sections 304.015, 304.151, and 479.359, to read as  
4 follows:

304.015. 1. All vehicles not in motion shall be  
2 placed with their right side as near the right-hand side of  
3 the highway as practicable, except on streets of  
4 municipalities where vehicles are obliged to move in one  
5 direction only or parking of motor vehicles is regulated by  
6 ordinance.

7 2. Upon all public roads or highways of sufficient  
8 width a vehicle shall be driven upon the right half of the  
9 roadway, except as follows:

10 (1) When overtaking and passing another vehicle  
11 proceeding in the same direction pursuant to the rules  
12 governing such movement;

13 (2) When placing a vehicle in position for and when  
14 such vehicle is lawfully making a left turn in compliance  
15 with the provisions of sections 304.014 to 304.025 or  
16 traffic regulations thereunder or of municipalities;

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

17           (3) When the right half of a roadway is closed to  
18 traffic while under construction or repair;

19           (4) Upon a roadway designated by local ordinance as a  
20 one-way street and marked or signed for one-way traffic.

21           3. It is unlawful to drive any vehicle upon any  
22 highway or road which has been divided into two or more  
23 roadways by means of a physical barrier or by means of a  
24 dividing section or delineated by curbs, lines or other  
25 markings on the roadway, except to the right of such barrier  
26 or dividing section, or to make any left turn or  
27 semicircular or U-turn on any such divided highway, except  
28 at an intersection or interchange or at any signed location  
29 designated by the state highways and transportation  
30 commission or the department of transportation. The  
31 provisions of this subsection shall not apply to emergency  
32 vehicles, law enforcement vehicles or to vehicles owned by  
33 the commission or the department.

34           4. The authorities in charge of any highway or the  
35 state highway patrol may erect signs temporarily designating  
36 lanes to be used by traffic moving in a particular  
37 direction, regardless of the center line of the highway, and  
38 all members of the Missouri highway patrol and other peace  
39 officers may direct traffic in conformance with such signs.  
40 When authorized signs have been erected designating off-  
41 center traffic lanes, no person shall disobey the  
42 instructions given by such signs.

43           5. Whenever any roadway has been divided into three or  
44 more clearly marked lanes for traffic, the following rules  
45 in addition to all others consistent herewith shall apply:

46           (1) A vehicle shall be driven as nearly as practicable  
47 entirely within a single lane and shall not be moved from

48 such lane until the driver has first ascertained that such  
49 movement can be made with safety;

50 (2) Upon a roadway which is divided into three lanes a  
51 vehicle shall not be driven in the center lane, except when  
52 overtaking and passing another vehicle where the roadway  
53 ahead is clearly visible and such center lane is clear of  
54 traffic within a safe distance, or in preparation for a left  
55 turn or where such center lane is at the time allocated  
56 exclusively to traffic moving in the direction the vehicle  
57 is proceeding and is sign-posted to give notice of such  
58 allocation;

59 (3) Upon all highways any vehicle proceeding at less  
60 than the normal speed of traffic thereon shall be driven in  
61 the right-hand lane for traffic or as close as practicable  
62 to the right-hand edge or curb, except as otherwise provided  
63 in sections 304.014 to 304.025;

64 (4) Official signs may be erected by the highways and  
65 transportation commission or the highway patrol may place  
66 temporary signs directing slow-moving traffic to use a  
67 designated lane or allocating specified lanes to traffic  
68 moving in the same direction and drivers of vehicles shall  
69 obey the directions of every such sign;

70 (5) Drivers of vehicles proceeding in opposite  
71 directions shall pass each other to the right, and except  
72 when a roadway has been divided into traffic lanes, each  
73 driver shall give to the other at least one-half of the main  
74 traveled portion of the roadway whenever possible.

75 6. All vehicles in motion upon a highway having two or  
76 more lanes of traffic proceeding in the same direction shall  
77 be driven in the right-hand lane except when overtaking and  
78 passing another vehicle or when preparing to make a proper  
79 left turn or when otherwise directed by traffic markings,

80 signs or signals. **Violations of this subsection shall be**  
81 **punished by a fine of at least three hundred dollars in**  
82 **addition to other penalties that may be specified by law.**

83 7. All trucks registered for a gross weight of more  
84 than forty-eight thousand pounds shall not be driven in the  
85 far left-hand lane upon all interstate highways, freeways,  
86 or expressways within urbanized areas of the state having  
87 three or more lanes of traffic proceeding in the same  
88 direction. This restriction shall not apply when:

89 (1) It is necessary for the operator of the truck to  
90 follow traffic control devices that direct use of a lane  
91 other than the right lane; or

92 (2) The right half of a roadway is closed to traffic  
93 while under construction or repair.

94 8. As used in subsection 7 of this section, "truck"  
95 means any vehicle, machine, tractor, trailer, or  
96 semitrailer, or any combination thereof, propelled or drawn  
97 by mechanical power and designed for or used in the  
98 transportation of property upon the highways. The term  
99 "truck" also includes a commercial motor vehicle as defined  
100 in section 301.010.

101 9. Violation of this section shall be deemed a class C  
102 misdemeanor unless such violation causes an immediate threat  
103 of an accident, in which case such violation shall be deemed  
104 a class B misdemeanor, or unless an accident results from  
105 such violation, in which case such violation shall be deemed  
106 a class A misdemeanor.

304.151. 1. Except in the case of an accident  
2 resulting in the injury or death of any person, the driver  
3 of a vehicle which for any reason obstructs the regular flow  
4 of traffic on the roadway of any state highway shall make  
5 every reasonable effort to move the vehicle or have it moved

6 so as not to block the regular flow of traffic. **Any person**  
7 **who fails to comply with the requirements of this subsection**  
8 **is guilty of an infraction and, upon conviction thereof,**  
9 **shall be punished by a fine of not less than ten dollars nor**  
10 **more than fifty dollars.**

11 2. [Prior to January 1, 1999, any person who fails to  
12 comply with the requirements of this section shall be issued  
13 a written warning of the violation in order to inform such  
14 persons of the requirements of this section. Beginning  
15 January 1, 1999, any person who fails to comply with the  
16 requirements of this section is guilty of an infraction and,  
17 upon conviction thereof, shall be punished by a fine of not  
18 less than ten dollars nor more than fifty dollars.] **The**  
19 **driver of a motor vehicle on a two-lane roadway outside of**  
20 **an urban area shall pull the motor vehicle off the roadway**  
21 **at the first opportunity to pull over safely if there are**  
22 **five or more motor vehicles immediately following that motor**  
23 **vehicle. Any person who fails to comply with the**  
24 **requirements of this subsection is guilty of an infraction**  
25 **and, upon conviction thereof, shall be punished by a fine of**  
26 **one hundred dollars.**

479.359. 1. Every county, city, town, and village  
2 shall annually calculate the percentage of its annual  
3 general operating revenue received from fines, bond  
4 forfeitures, and court costs for municipal ordinance  
5 violations and minor traffic violations, including amended  
6 charges for any municipal ordinance violations and minor  
7 traffic violations, whether the violation was prosecuted in  
8 municipal court, associate circuit court, or circuit court,  
9 occurring within the county, city, town, or village. If the  
10 percentage is more than thirty percent, the excess amount  
11 shall be sent to the director of the department of revenue.

12 The director of the department of revenue shall set forth by  
13 rule a procedure whereby excess revenues as set forth in  
14 this section shall be sent to the department of revenue.

15 The department of revenue shall distribute these moneys  
16 annually to the schools of the county in the same manner  
17 that proceeds of all fines collected for any breach of the  
18 penal laws of this state are distributed.

19 2. Beginning January 1, 2016, the percentage specified  
20 in subsection 1 of this section shall be reduced from thirty  
21 percent to twenty percent, unless any county, city, town, or  
22 village has a fiscal year beginning on any date other than  
23 January first, in which case the reduction shall begin on  
24 the first day of the immediately following fiscal year  
25 except that any county with a charter form of government and  
26 with more than nine hundred fifty thousand inhabitants and  
27 any city, town, or village with boundaries found within such  
28 county shall be reduced from thirty percent to twelve and  
29 one-half percent.

30 3. An addendum to the annual financial report  
31 submitted to the state auditor under section 105.145 by the  
32 county, city, town, or village that has chosen to have a  
33 municipal court division shall contain an accounting of:

34 (1) Annual general operating revenue as defined in  
35 section 479.350;

36 (2) The total revenues from fines, bond forfeitures,  
37 and court costs for municipal ordinance violations and minor  
38 traffic violations occurring within the county, city, town,  
39 or village, including amended charges from any municipal  
40 ordinance violations and minor traffic violations;

41 (3) The percent of annual general operating revenue  
42 from fines, bond forfeitures, and court costs for municipal  
43 ordinance violations and minor traffic violations occurring

44 within the county, city, town, or village, including amended  
45 charges from any charged municipal ordinance violations and  
46 minor traffic violation, charged in the municipal court of  
47 that county, city, town, or village; and

48 (4) Said addendum shall be certified and signed by a  
49 representative with knowledge of the subject matter as to  
50 the accuracy of the addendum contents, under oath and under  
51 the penalty of perjury, and witnessed by a notary public.

52 4. On or before December 31, 2015, the state auditor  
53 shall set forth by rule a procedure for including the  
54 addendum information required by this section. The rule  
55 shall also allow reasonable opportunity for demonstration of  
56 compliance without unduly burdensome calculations.

57 **5. The provisions of this section shall not apply with**  
58 **regard to municipal ordinance violations or minor traffic**  
59 **violations requiring that:**

60 (1) **Vehicles in motion upon a highway having two or**  
61 **more lanes of traffic proceeding in the same direction shall**  
62 **be driven in the right-hand lane except when overtaking and**  
63 **passing another vehicle or when preparing to make a proper**  
64 **left turn or when otherwise directed by traffic markings,**  
65 **signs, or signals; or**

66 (2) **The driver of a motor vehicle on a two-lane**  
67 **roadway outside of an urban area shall pull the motor**  
68 **vehicle off the roadway at the first opportunity to pull**  
69 **over safely if there are five or more motor vehicles**  
70 **immediately following that motor vehicle.**

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