

# SENATE BILL NO. 1798

103RD GENERAL ASSEMBLY

INTRODUCED BY SENATOR TRENT.

7268S.011

KRISTINA MARTIN, Secretary

## AN ACT

To repeal section 304.032, RSMo, and to enact in lieu thereof one new section relating to the operation of utility vehicles, with penalty provisions.

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

Section A. Section 304.032, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 304.032, to read as follows:

304.032. 1. [No person shall operate a utility vehicle, as defined in section 301.010, upon the highways of this state, except as follows:

(1) Utility vehicles owned and operated by a governmental entity for official use;

(2) Utility vehicles operated for agricultural purposes or industrial on-premises purposes between the official sunrise and sunset on the day of operation, unless equipped with proper lighting;

(3) Utility vehicles operated by handicapped persons for short distances occasionally only on the state's secondary roads when operated between the hours of sunrise and sunset;

(4) Governing bodies of cities may issue special permits for utility vehicles to be used on highways within the city limits by licensed drivers. Fees of fifteen

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

17 dollars may be collected and retained by cities for such  
18 permits;

19 (5) Governing bodies of counties may issue special  
20 permits for utility vehicles to be used on county roads  
21 within the county by licensed drivers. Fees of fifteen  
22 dollars may be collected and retained by the counties for  
23 such permits;

24 (6) Municipalities may by resolution or ordinance  
25 allow utility vehicle operation on streets or highways under  
26 the governing body's jurisdiction. Any person operating a  
27 utility vehicle pursuant to a municipal resolution or  
28 ordinance shall maintain proof of financial responsibility  
29 in accordance with section 303.160 or maintain any other  
30 insurance policy providing equivalent liability coverage for  
31 a utility vehicle] **Any person may operate a utility vehicle,  
32 as defined in section 301.010, upon streets and highways  
33 where the posted speed limit is fifty-five miles per hour.  
34 This subsection does not prohibit a utility vehicle from  
35 crossing a road or street at an intersection where the road  
36 or street being crossed has a posted speed limit of more  
37 than fifty-five miles per hour.**

38 2. **Any person operating a utility vehicle shall  
39 maintain proof of financial responsibility in accordance  
40 with section 303.160 or maintain any other insurance policy  
41 providing equivalent liability coverage for a utility  
42 vehicle.**

43 3. No person shall operate a utility vehicle within  
44 any stream or river in this state, except that utility  
45 vehicles may be operated within waterways which flow within  
46 the boundaries of land which a utility vehicle operator  
47 owns, or for agricultural purposes within the boundaries of  
48 land which a utility vehicle operator owns or has permission

49 to be upon, or for the purpose of fording such stream or  
50 river of this state at such road crossings as are customary  
51 or part of the highway system. All law enforcement  
52 officials or peace officers of this state and its political  
53 subdivisions or department of conservation agents or  
54 department of natural resources park rangers shall enforce  
55 the provisions of this subsection within the geographic area  
56 of their jurisdiction.

57 [3.] 4. A person operating a utility vehicle on a  
58 highway [pursuant to an exception covered in this section]  
59 shall have a valid operator's or chauffeur's license, except  
60 that a handicapped person operating such vehicle [under  
61 subdivision (3) of subsection 1 of this section] **for short**  
62 **distances occasionally only on this state's roads when**  
63 **operated between the hours of sunrise and sunset**, but shall  
64 not be required to have passed an examination for the  
65 operation of a motorcycle, and the vehicle shall be operated  
66 at speeds of less than forty-five miles per hour.

67 [4.] 5. No persons shall operate a utility vehicle:  
68 (1) In any careless way so as to endanger the person  
69 or property of another; or  
70 (2) While under the influence of alcohol or any  
71 controlled substance.

72 [5.] 6. No operator of a utility vehicle shall carry a  
73 passenger, except for agricultural purposes. The provisions  
74 of this subsection shall not apply to any utility vehicle in  
75 which the seat of such vehicle is designed to carry more  
76 than one person.

77 [6.] 7. A violation of this section shall be a class C  
78 misdemeanor. In addition to other legal remedies, the  
79 attorney general or county prosecuting attorney may  
80 institute a civil action in a court of competent

81 jurisdiction for injunctive relief to prevent such violation  
82 or future violations and for the assessment of a civil  
83 penalty not to exceed one thousand dollars per day of  
84 violation.

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