

SECOND REGULAR SESSION

[PERFECTED]

HOUSE COMMITTEE SUBSTITUTE FOR

HOUSE BILL NO. 1945

98TH GENERAL ASSEMBLY

4055H.03P

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To amend chapter 304, RSMo, by adding thereto two new sections relating to transportation regulations, with a referendum clause.

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

Section A. Chapter 304, RSMo, is amended by adding thereto two new sections, to be known as sections 302.335 and 304.288, to read as follows:

302.335. 1. Except as otherwise provided in subsection 2 of this section, any motorist charged with a traffic violation in this state or any county or municipality of this state shall receive notification, in person, within twenty-four hours of the violation from a law enforcement officer employed by the law enforcement agency issuing the violation.

2. The in-person notification requirement of subsection 1 of this section shall not apply to:

- (1) Parking tickets;**
- (2) Violations under section 577.060;**
- (3) Incidents requiring further investigation; or**
- (4) Any other situation in which in-person notification is not possible.**

304.288. 1. As used in this section "automated traffic enforcement system" means a camera or optical device designed to record images that depict the motor vehicle, the motor vehicle operator, the license plate of the motor vehicle, or other images to establish evidence that the motor vehicle or its operator is not in compliance with state law, ordinance, order, or other provision.

2. Beginning on the effective date of this section, no county, city, town, village, municipality, state agency, or other political subdivision of this state may enact, adopt, or

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

8 **enforce any law, ordinance, regulation, order, or other provision that authorizes the use**
9 **of an automated traffic enforcement system or systems, to establish evidence that a motor**
10 **vehicle or its operator is not in compliance with traffic signals, traffic speeds, or other**
11 **traffic laws, ordinances, rules, or regulations on any public street, road, or highway within**
12 **this state or to impose or collect any civil or criminal fine, fee, or penalty for any such**
13 **noncompliance, except as permitted under subsection 3 of this section.**

14 **3. Any county, city, town, village, municipality, state agency, or other political**
15 **subdivision of this state that has an automated traffic enforcement system installation or**
16 **maintenance contract with a company or entity on the effective date of this section shall**
17 **arrange to complete or terminate the contract within one year after the effective date of**
18 **this section. The provisions of subsection 2 of this section shall apply to the county, city,**
19 **town, village, municipality, state agency, or other political subdivision after the termination**
20 **or completion of such installation or maintenance contracts.**

21 **4. Nothing in this section shall be construed to limit or prohibit the otherwise lawful**
22 **use of automated license plate readers.**

23 Section B. Section A of this act is hereby submitted to the qualified voters of this state
24 for approval or rejection at an election which is hereby ordered and which shall be held and
25 conducted on the Tuesday immediately following the first Monday in November, 2016, or at a
26 special election to be called by the governor for that purpose, pursuant to the laws and
27 constitutional provisions of this state applicable to general elections and the submission of
28 referendum measures by initiative petition, and it shall become effective when approved by a
29 majority of the votes cast thereon at such election and not otherwise.

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