

FIRST REGULAR SESSION

# HOUSE BILL NO. 74

## 103RD GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVE TAYLOR (48).

0477H.011

DANA RADEMAN MILLER, Chief Clerk

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### AN ACT

To repeal section 307.125, RSMo, and to enact in lieu thereof one new section relating to animal-driven vehicles, with penalty provisions.

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

Section A. Section 307.125, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 307.125, to read as follows:

307.125. 1. **Except as provided under subsection 4 of this section**, any person who shall place or drive or cause to be placed or driven upon or along any state or supplementary state highway of this state any animal-driven vehicle [~~whatsoever~~], whether in motion or at rest, shall after sunset to one-half hour before sunrise **and at any other time "when lighted lamps are required" as such term is defined under section 307.020** have attached to every such vehicle [~~at the rear thereof a red taillight or a red reflecting device of not less than three inches in diameter of effective area or its equivalent in area. When such device shall consist of reflecting buttons there shall be no less than seven of such buttons covering an area equal to a circle with a three-inch diameter. The total subtended effective angle of reflection of every such device shall be no less than sixty degrees and the spread and efficiency of the reflected light shall be sufficient for the reflected light to be visible to the driver of any motor vehicle approaching such animal drawn vehicle from the rear of a distance of not less than five hundred feet~~] **the following:**

(1) **At least one lamp displaying a white light visible from a distance of not less than one thousand feet to the front of the animal-driven vehicle; and**

(2) **Two lamps displaying red light visible from a distance of not less than one thousand feet to the rear of the animal-driven vehicle or, as an alternative, one lamp**

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.

18 **displaying a red light visible from a distance of not less than one thousand feet to the**  
19 **rear and two reflectors visible from all distances of six hundred feet to one hundred feet**  
20 **to the rear when illuminated by the lawful lower beams of head lamps.**

21       2. In addition, **except as provided under subsection 4 of this section**, any person  
22 who operates any such animal-driven vehicle [~~during the hours between sunset and one-half~~  
23 ~~hour before sunrise shall have at least one light flashing at all times the vehicle is on any~~  
24 ~~highway of this state. Such light or lights shall be amber in the front and red in the back and~~  
25 ~~shall be placed on the left side of the vehicle at a height of no more than six feet from the~~  
26 ~~ground and shall be visible from the front and the back of the vehicle at a distance of at least~~  
27 ~~five hundred feet]~~ shall display, at all times, **one yellow flashing lamp displaying yellow**  
28 **light that is visible from a distance of not less than one thousand feet and that is**  
29 **mounted on the topmost portion of the rear of the animal-driven vehicle or on the top of**  
30 **the animal-driven vehicle. Such animal-driven vehicle shall additionally display at least**  
31 **one of the following:**

32       (1) **A slow-moving vehicle emblem mounted in accordance with section 307.127;**

33       (2) **Reflective material complying with rules and regulations promulgated by the**  
34 **director of the department of public safety that is visible from a distance of not less than**  
35 **five hundred feet to the rear when illuminated by the lawful lower beams of head lamps;**  
36 **or**

37       (3) **Both a slow-moving vehicle emblem and reflective material as specified**  
38 **under subdivision (2) of this subsection.**

39       3. **The director of the department of public safety shall adopt rules establishing**  
40 **standards and specifications for the position and mounting of the lamps and reflective**  
41 **material required under this section. The rules shall permit the reflective tape to be**  
42 **only red, amber, white, or silver in color.**

43       4. **Subsections 1 and 2 of this section shall not apply to the operator of any**  
44 **animal-driven agricultural equipment who is not transporting any livestock or to a**  
45 **person other than the operator. No operator described in this subsection shall operate**  
46 **animal-driven agricultural equipment unless it is equipped with and displays the slow-**  
47 **moving vehicle emblem mounted in accordance with section 307.127.**

48       5. **Any person violating the provisions of this section shall be guilty of an infraction.**

49       ~~[3. Any person operating an animal-driven vehicle during the hours between sunset~~  
50 ~~and one-half hour before sunrise may, in lieu of the requirements of subsection 2 of this~~  
51 ~~section, use lamps or lanterns complying with the rules promulgated by the director of the~~  
52 ~~department of public safety.~~

53       ~~4.]~~ 6. **Any rule or portion of a rule, as that term is defined in section 536.010, that is**  
54 **created under the authority delegated in this section shall become effective only if it complies**

55 with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028.  
56 This section and chapter 536 are nonseverable and if any of the powers vested with the  
57 general assembly pursuant to chapter 536 to review, to delay the effective date, or to  
58 disapprove and annul a rule are subsequently held unconstitutional, then the grant of  
59 rulemaking authority and any rule proposed or adopted after August 28, 2004, shall be invalid  
60 and void.

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