

SECOND REGULAR SESSION

# HOUSE BILL NO. 2155

## 101ST GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE PERKINS.

4813H.011

DANA RADEMAN MILLER, Chief Clerk

### AN ACT

To repeal section 304.032, RSMo, and to enact in lieu thereof one new section relating to 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Section A. Section 304.032, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 304.032, to read as follows: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 **numbered** 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; **and**

(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 dollars may be collected and retained by cities for such permits;~~

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

~~(6) Municipalities may by resolution or ordinance allow utility vehicle operation on streets or highways under the governing body's jurisdiction. Any person operating a utility vehicle pursuant to a municipal resolution or ordinance shall maintain proof of financial~~

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 ~~responsibility in accordance with section 303.160 or maintain any other insurance policy~~  
19 ~~providing equivalent liability coverage for a utility vehicle].~~

20         2. No person shall operate a utility vehicle within any stream or river in this state,  
21 except that utility vehicles may be operated within waterways which flow within the  
22 boundaries of land which a utility vehicle operator owns, or for agricultural purposes within  
23 the boundaries of land which a utility vehicle operator owns or has permission to be upon, or  
24 for the purpose of fording such stream or river of this state at such road crossings as are  
25 customary or part of the highway system. All law enforcement officials or peace officers of  
26 this state and its political subdivisions or department of conservation agents or department of  
27 natural resources park rangers shall enforce the provisions of this subsection within the  
28 geographic area of their jurisdiction.

29         3. **Any person operating a utility vehicle on a non-numbered highway in this**  
30 **state shall have a valid operator's or chauffeur's license, but shall not be required to**  
31 **have passed an examination for the operation of a motorcycle.** A person operating a  
32 utility vehicle on a **numbered** highway pursuant to an exception covered in **subsection 1 of**  
33 **this section, except for a handicapped person operating such vehicle under subdivision**  
34 **(3) of subsection 1 of this section,** shall have a valid operator's or chauffeur's license, ~~except~~  
35 ~~that a handicapped person operating such vehicle under subdivision (3) of subsection 1 of this~~  
36 ~~section,]~~ but shall not be required to have passed an examination for the operation of a  
37 motorcycle, and the vehicle shall be operated at speeds of less than forty-five miles per hour.

38         4. No persons shall operate a utility vehicle:

39             (1) In any careless way so as to endanger the person or property of another; or

40             (2) While under the influence of alcohol or any controlled substance.

41         5. No operator of a utility vehicle shall carry a passenger, except for agricultural  
42 purposes. The provisions of this subsection shall not apply to any utility vehicle in which the  
43 seat of such vehicle is designed to carry more than one person.

44         6. A violation of this section shall be a class C misdemeanor. In addition to other  
45 legal remedies, the attorney general or county prosecuting attorney may institute a civil action  
46 in a court of competent jurisdiction for injunctive relief to prevent such violation or future  
47 violations and for the assessment of a civil penalty not to exceed one thousand dollars per day  
48 of violation.

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