

# SENATE BILL NO. 1038

## 101ST GENERAL ASSEMBLY

INTRODUCED BY SENATOR BROWN.

5101S.01H

ADRIANE D. CROUSE, Secretary

### AN ACT

To repeal sections 304.001 and 304.044, RSMo, and to enact in lieu thereof two new sections relating to the operation of platoons on Missouri roads, with an existing penalty provision.

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

Section A. Sections 304.001 and 304.044, RSMo, are  
2 repealed and two new sections enacted in lieu thereof, to be  
3 known as sections 304.001 and 304.044, to read as follows:

304.001. As used in this chapter and chapter 307, the  
2 following terms shall mean:

3 (1) "Abandoned property", any unattended motor  
4 vehicle, trailer, all-terrain vehicle, outboard motor or  
5 vessel removed or subject to removal from public or private  
6 property as provided in sections 304.155 and 304.157,  
7 whether or not operational. For any vehicle towed from the  
8 scene of an accident at the request of law enforcement and  
9 not retrieved by the vehicle's owner within five days of the  
10 accident, the agency requesting the tow shall be required to  
11 write an abandoned property report or a crime inquiry and  
12 inspection report;

13 (2) "Commercial vehicle enforcement officers",  
14 employees of the Missouri state highway patrol who are not  
15 members of the patrol but who are appointed by the  
16 superintendent of the highway patrol to enforce the laws,  
17 rules, and regulations pertaining to commercial vehicles,

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

18 trailers, special mobile equipment and drivers of such  
19 vehicles;

20 (3) "Commercial vehicle inspectors", employees of the  
21 Missouri state highway patrol who are not members of the  
22 patrol but who are appointed by the superintendent of the  
23 highway patrol to supervise or operate permanent or portable  
24 weigh stations in the enforcement of commercial vehicle laws;

25 (4) "Commission", the state highways and  
26 transportation commission;

27 (5) "Department", the state transportation department;

28 (6) "Freeway", a divided state highway with four or  
29 more lanes, with no access to the throughways except the  
30 established interchanges and with no at-grade crossings;

31 (7) "Interstate highway", a state highway included in  
32 the national system of interstate highways located within  
33 the boundaries of Missouri, as officially designated or as  
34 may be hereafter designated by the state highways and  
35 transportation commission with the approval of the Secretary  
36 of Transportation, pursuant to Title 23, U.S.C., as amended;

37 (8) "Members of the patrol", the superintendent,  
38 lieutenant colonel, majors, captains, director of radio,  
39 lieutenants, sergeants, corporals and patrolmen of the  
40 Missouri state highway patrol;

41 (9) "Off-road vehicle", any vehicle designed for or  
42 capable of cross-country travel on or immediately over land,  
43 water, ice, snow, marsh, swampland, or other natural terrain  
44 without benefit of a road or trail:

45 (a) Including, without limitation, the following:

46 a. Jeeps;

47 b. All-terrain vehicles;

48 c. Dune buggies;

49 d. Multiwheel drive or low-pressure tire vehicles;

50 e. Vehicle using an endless belt, or tread or treads,  
51 or a combination of tread and low-pressure tires;

52 f. Motorcycles, trail bikes, minibikes and related  
53 vehicles;

54 g. Any other means of transportation deriving power  
55 from any source other than muscle or wind; and

56 (b) Excluding the following:

57 a. Registered motorboats;

58 b. Aircraft;

59 c. Any military, fire or law enforcement vehicle;

60 d. Farm-type tractors and other self-propelled  
61 equipment for harvesting and transporting farm or forest  
62 products;

63 e. Any vehicle being used for farm purposes, earth  
64 moving, or construction while being used for such purposes  
65 on the work site;

66 f. Self-propelled lawnmowers, or lawn or garden  
67 tractors, or golf carts, while being used exclusively for  
68 their designed purpose;

69 g. Any vehicle being used for the purpose of  
70 transporting a handicapped person;

71 h. Electric bicycles, as defined in section 301.010;

72 (10) "Person", any natural person, corporation, or  
73 other legal entity;

74 (11) **"Platoon", a group of individual motor vehicles**  
75 **utilizing vehicle-to-vehicle communications to travel in a**  
76 **unified manner at electronically coordinated speeds;**

77 (12) "Right-of-way", the entire width of land between  
78 the boundary lines of a state highway, including any roadway;

79 [(12)] (13) "Roadway", that portion of a state highway  
80 ordinarily used for vehicular travel, exclusive of the berm  
81 or shoulder;

82            [(13)] (14) "State highway", a highway constructed or  
83 maintained by the state highways and transportation  
84 commission with the aid of state funds or United States  
85 government funds, or any highway included by authority of  
86 law in the state highway system, including all right-of-way;

87            [(14)] (15) "Towing company", any person or entity  
88 which tows, removes or stores abandoned property;

89            [(15)] (16) "Urbanized area", an area with a  
90 population of fifty thousand or more designated by the  
91 Bureau of the Census, within boundaries to be fixed by the  
92 state highways and transportation commission and local  
93 officials in cooperation with each other and approved by the  
94 Secretary of Transportation. The boundary of an urbanized  
95 area shall, at a minimum, encompass the entire urbanized  
96 area as designed by the Bureau of the Census.

          304.044. 1. The following terms as used in this  
2 section shall mean:

3            (1) "Bus", any vehicle or motor car designed and used  
4 for the purpose of carrying more than seven persons;

5            (2) "Truck", any vehicle, machine, tractor, trailer or  
6 semitrailer, or any combination thereof, propelled or drawn  
7 by mechanical power and designed or used in the  
8 transportation of property upon the highways.

9            2. The driver of any truck or bus, when traveling upon  
10 a public highway of this state outside of a business or  
11 residential district, shall not follow within three hundred  
12 feet of another such vehicle; provided, the provisions of  
13 this section shall not be construed to prevent the  
14 overtaking and passing, by any such truck or bus, of another  
15 similar vehicle.

16           3. The following-distance provisions of this section  
17 shall not apply to a nonlead vehicle in a platoon, as such  
18 term is defined in section 304.001.

19           4. Any person who shall violate the provisions of this  
20 section shall be deemed guilty of a class C misdemeanor, and  
21 upon conviction thereof shall be punished accordingly.

22           5. The highways and transportation commission is  
23 authorized to promulgate administrative rules that are  
24 reasonable and necessary to implement platooning. Any rule  
25 or portion of a rule, as that term is defined in section  
26 536.010 that is created under the authority delegated in  
27 this section shall become effective only if it complies with  
28 and is subject to all of the provisions of chapter 536 and,  
29 if applicable, section 536.028. This section and chapter  
30 536 are nonseverable and if any of the powers vested with  
31 the general assembly pursuant to chapter 536 to review, to  
32 delay the effective date, or to disapprove and annul a rule  
33 are subsequently held unconstitutional, then the grant of  
34 rulemaking authority and any rule proposed or adopted after  
35 August 28, 2022, shall be invalid and void.

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