

CHAPTER 78: VEHICLE EQUIPMENT

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Parking, stopping, and loading, see Ch. 76

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LIGHT REGULATIONS**§ 78.01 WHEN LIGHTS REQUIRED.**

(A) ***WHEN LIGHTED LAMPS ARE REQUIRED*** means at any time from a half hour after sunset to a half hour before sunrise and at any other time when there is not sufficient light to render clearly discernible persons and vehicles on the highway at a distance of 500 feet ahead.

(B) No person shall drive, move, park, or be in custody of any vehicle or combination of vehicles on any street or highway during the times when lighted lamps are required unless such vehicle or combination of vehicles displays lighted lamps and illuminating devices as hereinafter in this subchapter required. No person shall use on any vehicle any approved electric lamp or similar device unless the light source of such lamp or device complies with the conditions of approval as to focus and rated candlepower.

(Prior Code, § 380.010)

§ 78.02 HEADLAMP ON MOTOR VEHICLES.

Except as in this subchapter provided, every motor vehicle other than a motor-drawn vehicle and other than a motorcycle shall be equipped with at least two approved headlamps mounted at the same level with at least one on each side of the front of the vehicle. Every motorcycle shall be equipped with at least one and not more than two approved headlamps. Every motorcycle equipped with a sidecar or other attachment shall be equipped with a lamp on the outside limit of such attachment capable of displaying a white light to the front.

(Prior Code, § 380.020)

§ 78.03 MULTIPLE-BEAM HEADLAMPS; ARRANGEMENT.

Except as hereinafter provided, the headlamps or the auxiliary driving lamp or the auxiliary passing lamp or combination thereof on motor vehicles, other than motorcycles or motor-driven cycles, shall be so arranged that the driver may select at will between distributions of light projected to different elevations and such lamps may, in addition, be so arranged that such selection can be made automatically, subject to the following limitations:

(A) There shall be an uppermost distribution of light, or composite beam, so aimed and of such intensity as to reveal persons and vehicles at a distance of at least 350 feet ahead for all conditions of loading; and

(B) There shall be a lowermost distribution of light, or composite beam, so aimed and of sufficient intensity to reveal persons and vehicles at a distance of at least 100 feet ahead; and on a straight level

road under any condition of loading, none of the high-intensity portion of the beam shall be directed to strike the eyes of an approaching driver.

(Prior Code, § 380.030)

§ 78.04 DIMMING OF LIGHTS.

(A) Every person driving a motor vehicle equipped with multiple-beam road lighting equipment, during the times when lighted lamps are required, shall use a distribution of light, or composite beam, directed high enough and of sufficient intensity to reveal persons and vehicles at a safe distance in advance of the vehicle, subject to the following requirements and limitations.

(B) Whenever the driver of a vehicle approaches an oncoming vehicle within 500 feet, or is within 300 feet to the rear of another vehicle traveling in the same direction, the driver shall use a distribution of light or composite beam so aimed that the glaring rays are not projected into the eyes of the other driver, and in no case shall the high-intensity portion which is projected to the left of the prolongation of the extreme left side of the vehicle be aimed higher than the center of the lamp from which it comes at a distance of 25 feet ahead, and in no case higher than a level of 42 inches above the level upon which the vehicle stands at a distance of 75 feet ahead.

(Prior Code, § 380.040)

§ 78.05 TAILLAMPS, REFLECTORS.

(A) Every motor vehicle and every motor-drawn vehicle shall be equipped with at least two rear lamps, not less than 15 inches or more than 72 inches above the ground upon which the vehicle stands, which when lighted will exhibit a red light plainly visible from a distance of 500 feet to the rear. Either such rear lamp or a separate lamp shall be so constructed and placed as to illuminate with a white light the rear registration marker and render it clearly legible from a distance of 50 feet to the rear. When the rear registration marker is illuminated by an electric lamp other than the required rear lamps, all such lamps shall be turned on or off only by the same control switch at all times.

(B) Every motorcycle registered in this state, when operated on a highway, shall also carry at the rear, either as part of the rear lamp or separately, at least one approved red reflector, which shall be of such size and characteristics and so maintained as to be visible during the times when lighted lamps are required from all distances within 300 feet to 50 feet from such vehicle when directly in front of a motor vehicle displaying lawful undimmed headlamps.

(C) Every new passenger car, new commercial motor vehicle, motor-drawn vehicle, and omnibus with a capacity of more than six passengers registered in this state after January 1, 1966, when operated on a highway, shall also carry at the rear at least two approved red reflectors, at least one at each side, so designed, mounted on the vehicle, and maintained as to be visible during the times when lighted lamps are required from all distances within 500 to 50 feet from such vehicle when directly in front of a motor vehicle displaying lawful undimmed headlamps. Every such reflector shall meet the requirements of this

subchapter and shall be mounted upon the vehicle at a height not to exceed 60 inches nor less than 15 inches above the surface upon which the vehicle stands.

(D) Any person who knowingly operates a motor vehicle without the lamps required in this section in operable condition is guilty of an infraction.

(Prior Code, § 380.050) Penalty, see § 78.99

§ 78.06 AUXILIARY LAMPS; NUMBER; LOCATION.

Any motor vehicle may be equipped with not to exceed three auxiliary lamps mounted on the front at a height not less than 12 inches nor more than 42 inches above the level surface upon which the vehicle stands.

(Prior Code, § 380.060)

§ 78.07 COWL, FENDER, RUNNING BOARD, AND BACKUP LAMPS.

Any motor vehicle may be equipped with not more than two side cowl or fender lamps which shall emit a white or yellow light without glare. Any motor vehicle may be equipped with not more than one running board courtesy lamp on each side thereof which shall emit a white or yellow light without glare. Any motor vehicle may be equipped with a backup lamp either separately or in combination with another lamp; except that no such backup lamp shall be continuously lighted when the motor vehicle is in forward motion.

(Prior Code, § 380.070)

§ 78.08 SPOTLAMPS.

Any motor vehicle may be equipped with not to exceed one spotlight, but every lighted spotlight shall be so aimed and used so as not to be dazzling or glaring to any person.

(Prior Code, § 380.080)

§ 78.09 COLORS OF VARIOUS LAMPS; RESTRICTION OF RED LIGHTS.

Headlamps, when lighted, shall exhibit lights substantially white in color; auxiliary lamps, cowl lamps, and spot lamps, when lighted, shall exhibit lights substantially white, yellow, or amber in color. No person shall drive or move any vehicle or equipment, except a school bus when used for school purposes or an emergency vehicle upon any street or highway with any lamp or device thereon displaying a red light visible from directly in front thereof.

(Prior Code, § 380.090) Penalty, see § 78.99

§ 78.10 LIMITATIONS ON LAMPS OTHER THAN HEADLAMPS; FLASHING SIGNALS PROHIBITED EXCEPT ON SPECIFIED VEHICLES.

Any lighted lamp or illuminating device upon a motor vehicle other than headlamps, spot lamps, front direction signals, or auxiliary lamps which projects a beam of light of an intensity greater than 300 candlepower shall be so directed that no part of the beam will strike the level of the roadway on which the vehicle stands at a distance of more than 75 feet from the vehicle. Alternately flashing warning signals may be used on school buses when used for school purposes and on motor vehicles when used to transport United States mail from post offices to boxes of addressees thereof and on emergency vehicles as defined in § 70.02, but are prohibited on other motor vehicles, motorcycles, and motor-drawn vehicles except as a means for indicating a right or left turn.

(Prior Code, § 380.100) Penalty, see § 78.99

§ 78.11 LIMITATION ON TOTAL OF LAMPS LIGHTED AT ONE TIME.

At the times when lighted lamps are required, at least two lighted lamps shall be displayed, one on each side of the front of every motor vehicle except a motorcycle and except a motor-drawn vehicle, except when such vehicle is parked subject to the provisions governing lights on parked vehicles. Whenever a motor vehicle equipped with headlamps as required in this subchapter is also equipped with any auxiliary lamps or a spot lamp or any other lamp on the front thereof projecting a beam of an intensity greater than 300 candlepower, not more than a total of four of any such lamps on the front of a vehicle shall be lighted at any one time when upon a highway.

(Prior Code, § 380.110)

§ 78.12 OTHER VEHICLES; HOW LIGHTED.

All vehicles, including agricultural machinery or implements, road machinery, road rollers, traction engines, and farm tractors not in this subchapter specifically required to be equipped with lamps, shall be equipped during the times when lighted lamps are required with at least one lighted lamp or lantern exhibiting a white light visible from a distance of 500 feet to the front of such vehicle and with a lamp or lantern exhibiting a red light visible from a distance of 500 feet to the rear, and such lamps and lanterns shall exhibit lights to the sides of such vehicle.

(Prior Code, § 380.120)

§ 78.13 ANIMAL-DRIVEN VEHICLES, LIGHTING REQUIREMENTS.

Any person who shall place, or drive or cause to be placed or driven, upon or along any state highway of this city any animal-driven vehicle whatsoever, whether in motion or at rest, shall after sunset to one-half hour before sunrise 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 60 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 500 feet. In addition, any person who operates any such animal-driven vehicle during the hours between sunset and one-half hour before sunrise shall have at least one light flashing at all times the vehicle is on any highway of this city. Such light or lights shall be amber in the front and red in the back and shall be placed on the left side of the vehicle at a height of no more than six feet from the ground and shall be visible from the front and the back of the vehicle at a distance of at least 500 feet.
(Prior Code, § 380.130) Penalty, see § 78.99

OTHER VEHICLE EQUIPMENT

§ 78.25 OTHER EQUIPMENT OF MOTOR VEHICLES.

(A) *Signaling devices.* Every motor vehicle shall be equipped with a horn, directed forward, or whistle in good working order, capable of emitting a sound adequate in quantity and volume to give warning of the approach of such vehicle to other users of the highway and to pedestrians. Such signaling device shall be used for warning purposes only and shall not be used for making any unnecessary noise, and no other sound-producing signaling device shall be used at any time.

(B) *Muffler cutouts.* Muffler cutouts shall not be used and no vehicle shall be driven in such manner or condition that excessive and unnecessary noises shall be made by its machinery, motor, signaling device, or other parts, or by any improperly loaded cargo. The motors of all motor vehicles shall be fitted with properly attached mufflers of such capacity or construction as to quiet the maximum possible exhaust noise as completely as is done in modern gas engine passenger motor vehicles. Any cutout or opening in the exhaust pipe between the motor and the muffler on any motor vehicle shall be completely closed and disconnected from its operating lever, and shall be so arranged that it cannot automatically open, or be opened or operated while such vehicle is in motion.

(C) *Brakes.* All motor vehicles, except motorcycles, shall be provided at all times with two sets of adequate brakes, kept in good working order, and motorcycles shall be provided with one set of adequate brakes kept in good working order.

(D) *Mirrors.* All motor vehicles which are so constructed or loaded that the operator cannot see the road behind such vehicle by looking back or around the side of such vehicle shall be equipped with a mirror so adjusted as to reveal the road behind and be visible from the operator's seat.

(E) *Projections on vehicles.* All vehicles carrying poles or other objects, which project more than five feet from the rear of such vehicle, shall, during the period when lights are required by this chapter, carry a red light at or near the rear end of the pole or other object so projecting. At other times a red flag or cloth, not less than 16 inches square, shall be displayed at the end of such projection.

(F) *Towlines*. When one vehicle is towing another, the connecting device shall not exceed 15 feet. During the time that lights are required by RSMo. §§ 307.020 to 307.120, the required lights shall be displayed by both vehicles. Every towed vehicle shall be coupled to the towing vehicle by means of a safety chain, cable, or equivalent device in addition to the primary coupling device, except that such secondary coupling device shall not be necessary if the connecting device is connected to the towing vehicle by a center-locking ball located over or nearly over the rear axle and not supported by the rear bumper of the towing vehicle. Such secondary safety connecting devices shall be of sufficient strength to control the towed vehicle in the event of failure of the primary coupling device. The provisions of this division (F) shall not apply to wreckers towing vehicles or to vehicles secured to the towing vehicle by a fifth-wheel type connection. The provisions of this division (F) shall also not apply to farm implements, or to any vehicle which is not required to be registered.

(G) *Commercial motor vehicles and trailers*. When being operated on any highway, street, or road of this city, commercial motor vehicles and trailers shall be equipped with adequate and proper brakes, lighting equipment, signaling devices, steering mechanisms, horns, mirrors, windshield wipers, tires, wheels, exhaust system, glazing, air pollution control devices, fuel tank, and any other safety equipment required by the state in such condition so as to obtain a certificate of inspection and approval as required by the provisions of RSMo. § 307.360.

(H) *Transporting hay*. Devices attached to or towed by motor vehicles for the purpose of transporting hay shall have the protruding parts raised or retracted when not in use to a position which will not cause injury or damage to persons or property in the vicinity of such device when on the highways, streets, or roads of this city.
(Prior Code, § 380.140) Penalty, see § 78.99

§ 78.26 LOADS WHICH MIGHT BECOME DISLODGED TO BE SECURED; FAILURE.

All motor vehicles, and every trailer and semi-trailer operating upon the public highways, streets, or roads of this city and carrying goods or material or farm products which may reasonably be expected to become dislodged and fall from the vehicle, trailer, or semi-trailer as a result of wind pressure or air pressure and/or by the movement of the vehicle, trailer, or semi-trailer shall have a protective cover or be sufficiently secured so that no portion of such goods or material can become dislodged and fall from the vehicle, trailer, or semi-trailer while being transported or carried.
(Prior Code, § 380.150) Penalty, see § 78.99

§ 78.27 SEAT BELTS.

(A) For the purpose of this section, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

PASSENGER CAR. Every motor vehicle designed for carrying ten persons or less and used for the transportation of persons, except that the term **PASSENGER CAR** shall not include motorcycles, motorized bicycles, motor tricycles, and trucks with a licensed gross weight of 12,000 pounds or more.

TRUCK. A motor vehicle designed, used, or maintained for the transportation of property.

(B) Each driver, except persons employed by the United States Postal Service while performing duties for that federal agency which require the operator to service postal boxes from their vehicles, or which require frequent entry into and exit from their vehicles, and front seat passengers of a passenger car manufactured after January 1, 1968, operated on a street or highway in the city, and persons less than 18 years of age operating or riding in a truck, as defined in division (A) above, on a street or highway of this city shall wear a properly adjusted and fastened safety belt that meets Federal National Highway, Transportation, and Safety Act requirements; except that, a child less than four years of age shall be protected as required in § 78.28. No person shall be stopped, inspected, or detained solely to determine compliance with this division (B). The provisions of this section shall not be applicable to persons who have a medical reason for failing to have a seat belt fastened about their body, nor shall the provisions of this section be applicable to persons while operating or riding a motor vehicle being used in agricultural work-related activities. Non-compliance with this division (B) shall not constitute probable cause for violation of any other provision of law.

(C) Each driver of a motor vehicle transporting a child four years of age or more, but less than 16 years of age, shall secure the child in a properly adjusted and fastened safety belt.

(D) If there are more persons than there are seat belts in the enclosed area of a motor vehicle, then the driver and passengers are not in violation of this section.

(Prior Code, § 380.160) Penalty, see § 78.99

§ 78.28 CHILD RESTRAINT SYSTEM.

(A) Every person transporting a child under the age of four years shall be responsible, when transporting such child in a motor vehicle operated by that person on the streets or highways of this city, for providing for the protection of such child. Such child shall be protected by a child passenger restraint system approved by the Department of Public Safety.

(B) This section shall not apply to any public carrier for hire.

(Prior Code, § 380.170)

§ 78.29 VISION-REDUCING MATERIAL APPLIED TO WINDSHIELD OR WINDOWS PROHIBITED; RULES, PROCEDURE.

Except as provided in RSMo. §§ 307.173(2) and 307.173(6), no person shall operate any motor vehicle registered in this state on any public highway or street of this city with any manufactured vision-reducing material applied to any portion of the motor vehicle's windshield, sidewings, or windows located immediately to the left and right of the driver which reduces visibility from within or without the motor vehicle. This section shall not prohibit labels, stickers, decalcomania, or informational signs on motor vehicles or the application of tinted or solar screening material to recreational vehicles as defined in RSMo. § 700.010, provided that such material does not interfere with the driver's normal

view of the road. This section shall not prohibit factory installed tinted glass, the equivalent replacement thereof, or tinting material applied to the upper portion of the motor vehicle's windshield which is normally tinted by the manufacturer of motor vehicle safety glass.

(Prior Code, § 380.180) Penalty, see § 78.99

§ 78.30 HEADGEAR REQUIRED; MOTORCYCLES OR MOTOR TRICYCLES.

Every person operating or riding as a passenger on any motorcycle or motor tricycle, as defined in this Title, upon any highway of this city shall wear protective headgear at all times the vehicle is in motion. The protective headgear shall meet reasonable standards and specifications established by the Director of Revenue.

(Prior Code, § 380.190) Penalty, see § 78.99

§ 78.31 STUDED TIRES, PROHIBITED WHEN.

No person shall operate any motor vehicle upon any road or highway of this city between April 1 and November 1 while the motor vehicle is equipped with tires containing metal or carbide studs.

(Prior Code, § 380.200) Penalty, see § 78.99

§ 78.32 RESTRICTION ON USE OF METAL-TIRED VEHICLES.

(A) No metal-tired vehicle shall be operated over any of the improved highways of this city, except over highways constructed of gravel or claybound gravel, if such vehicle has on the periphery of any of the road wheels any lug, flange, cleat, ridge, bolt, or any projection of metal or wood which projects radially beyond the tread or traffic surface of the tire, unless the highway is protected by putting down solid planks or other suitable material, or by attachments to the wheels so as to prevent such vehicles from damaging the highway, except that this prohibition shall not apply to tractors or traction engines equipped with what is known as caterpillar treads, when such caterpillar does not contain any projection of any kind likely to injure the surface of the road. Tractors, traction engines, and similar vehicles may be operated which have upon their road wheels "V" shaped, diagonal, or other cleats arranged in such manner as to be continuously in contact with the road surface if the gross weight on the wheels per inch of width of such cleats or road surface, when measured in the direction of the axle of the vehicle, does not exceed 800 pounds.

(B) No tractor, tractor engine, or other metal-tired vehicle weighing more than four tons, including the weight of the vehicle and its load, shall drive onto, upon, or over the edge of any improved highway without protecting such edge by putting down solid planks or other suitable material to prevent such vehicle from breaking off the edges of the pavement.

(C) Any person violating this section, whether operating pursuant to a permit or not, or who shall willfully or negligently damage a highway, shall be liable for the amount of such damage caused to any highway, bridge, culvert, or sewer, and any vehicle causing such damage shall be subject to a lien for

the full amount of such damage, which lien shall not be superior to any duly recorded or filed chattel mortgage or other lien previously attached to such vehicle; the amount of such damage may be recovered in any action in any court of competent jurisdiction.

(Prior Code, § 380.210)

§ 78.33 PASSENGERS IN TRUCKS.

(A) As used in this section, the term **TRUCK** means a motor vehicle designed, used, or maintained for the transportation of property.

(B) No person shall operate any truck, as defined in division (A) above, with a licensed gross weight of less than 12,000 pounds on any highway which is part of the state or federal highway system or when such truck is operated within the corporate limits of the city when any person under 18 years of age is riding in the unenclosed bed of such truck. No person under 18 years of age shall ride in the unenclosed bed of such truck when the truck is in operation.

(C) The provisions of this section shall not apply to:

(1) Any employee engaged in the necessary discharge of the employee's duties where it is necessary to ride in the unenclosed bed of the truck;

(2) Any person while engaged in agricultural activities where it is necessary to ride in the unenclosed bed of the truck;

(3) Any person riding in the unenclosed bed of a truck while such truck is being operated in a parade, caravan, or exhibition which is authorized by law;

(4) Any person riding in the unenclosed bed of a truck if such truck has installed a means of preventing such person from being discharged or such person is secured to the truck in a manner which will prevent the person from being thrown, falling, or jumping from the truck;

(5) Any person riding in the unenclosed bed of a truck if such truck is being operated solely for the purpose of participating in a special event and it is necessary that the person ride in such unenclosed bed due to a lack of available seating. **SPECIAL EVENT**, for the purposes of this section, is a specific social activity of a definable duration which is participated in by the person riding in the unenclosed bed;

(6) Any person riding in the unenclosed bed of a truck if such truck is being operated solely for the purposes of providing assistance to, or ensuring the safety of, other persons engaged in a recreational activity; or

(7) Any person riding in the unenclosed bed of a truck if such truck is the only legally titled, licensed, and insured vehicle owned by the family of the person riding in the unenclosed bed and there is insufficient room in the passenger cab of the truck to accommodate all passengers in the truck. For

the purposes of this section, the term *FAMILY* shall mean any persons related within the first degree of consanguinity.

(Prior Code, § 380.220) Penalty, see § 78.99

§ 78.99 PENALTY.

(A) Any person violating any provision of this chapter for which no specific penalty is prescribed shall be subject to § 10.99 of this code of ordinances.

(B) Any person violating the provisions of this section shall be guilty of a misdemeanor.
(Prior Code, § 380.130)

(C) Operation of a motor vehicle, trailer, or semi-trailer in violation of § 78.26 shall be a misdemeanor, and any person convicted thereof shall be punished as provided by § 10.99.
(Prior Code, § 380.150)

(D) Each person found guilty of violating the provisions of § 78.27 is guilty of an infraction for which a fine not to exceed \$10 may be imposed. All other provisions of law and court rules to the contrary notwithstanding, no court costs shall be imposed on any person due to a violation of this section.
(Prior Code, § 380.160)

(E) Any person found guilty of violating any of the provisions of § 78.28 shall be subject to a fine of not more than \$25. Each instance such violation occurs or continues shall be deemed a separate offense.
(Prior Code, § 380.170)

(F) Any person who violates the provisions of § 78.29 is guilty of a misdemeanor.
(Prior Code, § 380.180)

