

BOONE COUNTY, MISSOURI

ROADWAY REGULATIONS

CHAPTER I:

VEHICULAR TRAFFIC REGULATIONS

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- 1.1 Purpose:** These regulations are enacted for the purpose of regulating motor vehicle traffic and the use of county maintained streets, roads and highways in the unincorporated areas of Boone County, Missouri, in order to protect and promote the public safety and welfare.
- 1.2 Authority:** These regulations are enacted under authority vested in the County Commission of Boone County, Missouri by sections 304.130-.140 RSMo and sections 49.266 RSMo.
- 1.3 Definitions:** As used in these regulations, unless the context clearly indicates otherwise, the following words shall have the following meanings:
- 1.3.1 County** – The government of Boone County, Missouri, governed by the Boone County Commission.
 - 1.3.2 County Highway Administrator** – The Boone County Highway Administrator appointed by the Boone County Commission or his or her duly authorized deputy.
 - 1.3.3 Driver** – Any person who drives or is in actual physical control of a motor vehicle.
 - 1.3.4 Highway** – The entire width between the boundary lines of every road or street right of way or easement open to the use of the public for purposes of vehicular travel located within the unincorporated areas of Boone County, Missouri.
 - 1.3.5 Law Enforcement Officer** – Any person having jurisdiction to enforce the criminal laws within the unincorporated areas of Boone County, Missouri
 - 1.3.6 Motor Vehicle** – Any self propelled vehicle not operated exclusively upon tracks including motorcycles, but excluding farm tractors and machinery, motorized bicycles, and wheelchairs.
 - 1.3.7 Traffic Control Devices** – All signs including, but not limited to, speed limit and stop signs, signals, markings and devices placed or erected by the County on county maintained highways or temporarily placed or erected by the Boone County Sheriff's Department for purpose of regulating, warning or guiding traffic.
 - 1.3.8 Park or Parking** – The standing of a motor vehicle, whether occupied or not, otherwise than temporarily for the purpose of and while actually engaged in loading or unloading personal property or passengers.
 - 1.3.9 Pedestrian** – Any person afoot.
 - 1.3.10 Persons** – Every Natural Person, Firm, Partnership, Association, Corporation or other business entity.
 - 1.3.11 Private Road or Driveway** – Every way or place in private ownership and used for vehicular travel by the owner and those having express or implied permission from the owner, but not the other persons.
 - 1.3.12 Roadway** – That portion of a highway improved, designed, or ordinarily used for vehicular travel, exclusive of the berm or shoulder or other part of the highway not ordinarily used for vehicular travel.
- 1.4 Speed Limits:** Except as otherwise provided herein, no motor vehicle shall be operated in the unincorporated area of Boone County, Missouri, on any county maintained gravel road outside of a recorded subdivision in excess of 35 miles per hour; on any county maintained asphalt or concrete paved road outside of a recorded subdivision in excess of 40 mile per hour; on any county maintained road within a recorded subdivision in excess of 30 miles per hour; and on any county maintained road within a signed school zone in excess of 20 miles per hour. The County Commission is hereby authorized to establish by special order of record speed limits on county maintained roads at variance with the speed limits set forth in this section upon recommendation of the County Highway Administrator as is necessary to promote the public safety and

convenience; any such special order shall be maintained in the office of the County Clerk and copies thereof shall be provided to Boone County Sheriff and Prosecuting Attorney. The County Highway Administrator is hereby authorized to establish special temporary speed limits in signed construction zones and other speed zones under special circumstances as is necessary to protect the safety of road workers or to promote traffic safety in unique circumstances. Any such special temporary speed limit shall be in writing in the form of an order signed by the County Highway Administrator stating the location of the special speed zone, the speed limit, the reason for the special speed limit, and the duration or dates during which such special speed limit shall be in effect; all such orders shall be filed with the County Commission, the County Clerk, the Boone County Sheriff, and Prosecuting Attorney. The Boone County Commission may by order of record modify or rescind any such special temporary speed limit. All speed limits, regardless of type, shall be posted with visible signs along and at the beginning and ending of the roads and/or areas or zones to which they are applicable.

1.5 Traffic Control Devices: The County Highway Administrator shall place and maintain all traffic control devices on or along county maintained highways as he or she deems appropriate and approves based upon traffic and road conditions for the highways in question; however, the County Commission may approve, disapprove, or modify such placements by order or record.

1.5.1 Manual and Specifications for Traffic Control Devices – All traffic control devices shall conform to the Manual on Uniform Traffic Control, Millennium edition, or as adopted by order of the Boone County Commission. All signs and signals required hereunder for a particular purpose shall so far as practicable be uniform as to type and location throughout the County.

1.5.2 Obedience to Traffic Control Regulations and Devices – The driver of any vehicle shall obey all regulations enacted hereunder or by authority of these regulations and any instructions of any traffic control device applicable thereto placed in accordance with provisions of these regulations, unless otherwise directed by a law enforcement official, subject to the exceptions granted the driver of an authorized emergency vehicle as provided for under state law.

1.5.3 When Traffic Control Devices Are Required for Enforcement Purposes – No provision of these regulations for which traffic control devices shall be required shall be enforced against an alleged violator if at the time and place of the alleged violation a traffic control device is not in proper position and sufficiently legible to be seen by an ordinarily observant person.

1.5.4 Traffic Control Devices Presumed Legal – Whenever traffic control devices are placed in position approximately conforming to the requirements of these regulations, such devices shall be presumed to have been so placed by the official act or direction of lawful authority, unless the contrary shall be established by competent evidence.

1.5.4.1 Any traffic control device placed pursuant to the provisions of these regulations and purporting to conform to the lawful requirements pertaining to such devices shall be presumed to comply with the requirements of these regulations unless the contrary shall be established by competent evidence.

1.5.5 Display of Unauthorized Signs, Signals, and Markings – No person shall place, maintain or display upon or in view of any highway an unauthorized sign, signal, marking, or device which purports to be or is an imitation of or resembles a traffic control device or which attempts to direct the movement of traffic, or which hides from view or interferes with the effectiveness of any traffic control device.

1.5.6 Interference with Traffic Control Devices – No person shall, without lawful authority, attempt to or in fact alter, deface, injure, knock down, or move any traffic control device or any other part thereof.

- 1.6 Authority of Law Enforcement Officials:** It shall be the duty of law enforcement officials having jurisdiction to enforce these regulations. Law enforcement officials having jurisdiction are hereby authorized to direct all traffic by voice, hand, or signal in conformance with applicable traffic laws and these regulations; provided that, in the event a fire or other emergency or to expedite traffic or to safeguard pedestrians, law enforcement officials may direct traffic as conditions may require notwithstanding the provisions of these regulations or applicable traffic laws. Officers of any fire department when at the scene of a fire or other emergency may direct or assist law enforcement officials in directing traffic thereat or in the immediate vicinity.
- 1.6.1 Obedience to Law Enforcement and Fire Department Officials** - No person shall willfully fail or refuse to comply with any lawful order or direction of a law enforcement official of fire department official in exercising authority under these regulations.
- 1.6.2 Persons Riding Bicycles, Wheeled Vehicles, and Animals to Obey Regulations** – Every person riding any bicycle, using any wheeled vehicle, or riding upon any animal upon a highway shall be subject to the provisions of these regulations applicable to the driver of any motor vehicle except those provisions of these regulations which by their nature can have no applications.
- 1.7 Parking:** Every motor vehicle stopped or parked upon a highway or road shall be so stopped or parked with the right hand wheels of such vehicle parallel to or within 18 inches of the right edge of the roadway if there is no shoulder or berm or when a shoulder or berm is available as near to the right edge of the highway as reasonably practicable.
- 1.7.1 Obedience to Parking Signs or Markers** – No person shall park on any highway which has been signed or marked by means of traffic control device except in compliance with the traffic control device and the requirements of these regulations.
- 1.7.2 Stopping, Standing, or Parking Prohibited** – Except when necessary to avoid a safety hazard with other traffic, or in compliance with law or the directions of law enforcement official or traffic control device, no person shall:
- 1.7.2.1** Stop, stand, or park a vehicle on a roadway side of any vehicle stopped or parked at the edge or curb of a roadway; or stop, stand, or park a vehicle on a sidewalk, intersection, crosswalk, between a safety zone and the adjacent curb, or within 30 feet of a highway intersection unless indicated otherwise by signs or markings; or stop, stand, or park a vehicle alongside or opposite any roadway excavation or obstruction when stopping, standing, or parking would obstruct traffic; or stop, stand, or park a vehicle upon any bridge or any other elevated structure upon any railroad tracks and at any place where official signs prohibit stopping, standing, or parking; or stop, stand, or park in a parking space signed or marked as reserved or restricted to the use of specified vehicles or persons when the person stopping, standing, or parking a vehicle is not authorized to do so by such sign or marking or by the person who owns or has a lawful possessory interest in the restricted parking space.
- 1.7.2.2** No person shall stand or park a vehicle, whether occupied or not, except momentarily to pickup or discharge a passenger or passengers or to momentarily load or unload such vehicle when in front of a public or private driveway, within 15 feet of fire hydrant or mailbox used for receipt of deposit of mail transported by the United States Postal Service, within 20 feet of a crosswalk at any intersection, within 30 feet upon the approach to any flashing signal, stop sign, or traffic control signal located at the side of a roadway, or within 20 feet of a driveway entrance to any fire station, or on the side of the street opposite the entrance to a fire station within 75 feet of said entrance, and sign posted at any place where a traffic control device prohibits standing.

- 1.7.2.3** No person shall park a vehicle, whether occupied or not, except temporarily for purpose of and while actually engaged in loading or unloading personal property or passengers, within 50 feet of the nearest rail of a railroad crossing or at any place where traffic control device prohibits parking.
- 1.7.3 Parking Not to Obstruct Traffic** – No person shall park or keep any motor vehicle on or along a highway or street in such a manner and under such conditions as to leave available less than 10 feet of width of the roadway for free movement of vehicular traffic.
- 1.7.4 Parking Unlicensed Cars on Highways Prohibited** – No person shall park or keep any motor vehicle on or along any highway unless such vehicle is currently registered with the Missouri Department of Revenue or other government authority of another state and displays a current valid license plate or other governmentally issued evidence of current motor vehicle licensing and registration.
- 1.7.5 Parking of Wrecked or Disabled Vehicles on Highways Prohibited** – No person shall park, keep, or permit the parking or keeping of any motor vehicle upon any highway or street which is wrecked or disabled for any longer than is necessary to remove such vehicle from the highway and in no event in excess of 24 hours.
- 1.7.6 Illegally Parked Vehicles Towed at Owner’s Expense** – In addition to any other remedy provided for in these regulations, any law enforcement officer is hereby authorized to order the towing and removal of any vehicle parked in violation of these regulations by a commercial vehicle towing company to a place of storage and the owner of such vehicle shall be responsible for all expense thereof.
- 1.7.7 Placement of Property in the Road Right of Way Prohibited; Exceptions** – No person shall park or place vehicles, trailers, dumpsters, refuse, appliances, or other property upon the road right of way without the written authorization of the Highway Administrator, except that motor vehicles and trailers disabled due to mechanical failure or breakdown may remain in the right of way if parked in a manner which will not obstruct or encroach upon vehicular use of the roadway, but no such vehicle or trailer shall be parked longer than 24 hours without notification and consent of the County Highway Administrator or law enforcement agency having jurisdiction.
- 1.7.8 Parking On County Property** - No person shall park a motor vehicle or trailer on county owned or controlled property without authorization of the department having charge and control the property, or a written or printed permit or tag applicable to such vehicle at the location authorized by the permit or tag displayed prominently on the vehicle. No person shall park a motor vehicle or trailer on county owned or controlled property except in the area authorized by the vehicle permit or tag and in compliance written parking policies adopted by the Boone County Commission.
- 1.7.8.1 Administration and Enforcement** - The County Highway Administrator or his designee shall be responsible for the administration and control of vehicular parking on all county property. In addition to any other remedy provided for in these regulations, the County Highway Administrator or his designee or any law enforcement officer are hereby authorized to order the towing and removal of any vehicle which is not authorized to park on county property or which is parked in violation of these regulations. Any order to tow so issued shall be carried out by a commercial vehicle towing company to a place of storage and the owner of such vehicle shall be responsible for all expense thereof.
- 1.7.8.2 County Parking Policies** - The County Commission may make or approve of written parking policies for county officials or employees use of county property for parking. Any person who violates such policies shall be subject to the suspension or termination of parking privileges in addition to any remedy authorized for violation of these regulations.

- 1.8 Temporary Highway Closure:** The County Highway Administrator and any law enforcement agency having jurisdiction may temporarily close any highway, for purposes of performing maintenance or repair on any highway, or for conditioning other governmental operations necessary to protect or promote the public health, safety, or welfare. When a highway is closed by order of the County Highway Administrator or law enforcement agency having jurisdiction appropriate signage, barricades or other devices shall be installed as is necessary to provide the traveling public with reasonable notice of the closure and the boundaries of closure.
- 1.8.1 Highway Closure by Order of County Commission** – When necessary to preserve, protect, or promote public safety or convenience, the County Commission may order the temporary or permanent closure of any county maintained highway if the Commission finds after public hearing that no person owning property or residing upon any highway to be closed will be denied access from his or her property to a public highway by such closure.
- 1.8.2 Closure of Access Points to Highways** – The County may order the closure by barricade or otherwise of access points to county maintained highways or parts thereof if the County Commission finds after public hearing that such closure will preserve, promote, or protect public safety or convenience and that no person owning or residing on real estate adjacent to highway or other road or near such access point will be denied reasonable access to a public highway or roadway.
- 1.8.3 Highway Closure for Special Use** – The County Highway Administrator or the County Commission may authorize the closure of any county maintained highway upon such terms and conditions it deems appropriate in order to permit a special use of such road. Any such closure shall be upon application and issuance of a permit setting forth the location, duration of closure, and any special conditions applicable thereto.
- 1.8.4 Highway Closure Not to Effect Title to Real Estate** – Any highway closure authorized pursuant to these regulations shall not be construed by itself to affect the validity of any public right of way or easement possessed by the County nor by itself create a reversion of fee simple title to adjacent property owners. No highway closure authorized by these regulations shall by itself constitute a vacation of any road and any such vacation shall be in compliance with law.
- 1.8.5 Operating Motor Vehicle on Closed Highway Prohibited** – No person shall drive or operate a motor vehicle along or upon any highway temporarily or permanently closed under authority of these regulations except emergency vehicles during emergencies or official government vehicles for governmental purposes or unless authorized by the applicable order of closure.
- 1.8.6 Use of Closed Access Prohibited** – No person shall drive or operate a motor vehicle through any access point ordered closed under authority of these regulations except emergency vehicles for emergency purposes, official government vehicles for governmental purposes, or unless authorized by the applicable order of closure and then only when closure barricades or other devices are properly moved to obtain access and replaced after access is obtained.
- 1.9 Enforcement and Penalties:** Law enforcement officials having jurisdiction shall enforce the provisions of these regulations and any person violating any provision of these regulations may be arrested or issued a uniform traffic summons as provided by law. Any person who violates any provisions of these regulations shall be guilty of an infraction pursuant to section 304.140 RSMo and/or 49.266 RSMo, as applicable, and punished as prescribed by law.
- 1.10 Interpretation and Severability:** The regulations are intended to be supplementary to other provisions or remedies authorized or prescribed by law or rule or regulations enacted there under. The invalidity of any particular enacted herein shall not affect the validity of any other provision enacted herein shall not affect the validity of any other provision and all regulations hereunder

shall be construed as consistently and harmoniously as possible with each other and other applicable provisions of law. These regulations also shall be liberally construed to the fullest extent permitted by law to effectuate the broad remedial purposes for which they are intended.

1.11 Jurisdiction: The regulations contained in this chapter shall be applicable to all unincorporated areas within Boone County, Missouri.