

FIRST REGULAR SESSION

HOUSE BILL NO. 587

93RD GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE YAEGER.

Read 1st time February 17, 2005 and copies ordered printed.

STEPHEN S. DAVIS, Chief Clerk

1601L.02I

AN ACT

To amend chapters 304 and 537, RSMo, by adding thereto three new sections relating to the operation of motor vehicles.

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

Section A. Chapters 304 and 537, RSMo, are amended by adding thereto three new sections, to be known as sections 304.675, 304.677, and 537.038, to read as follows:

2 **304.675. 1. The maximum speed limit within a school zone shall not exceed twenty**
3 **miles per hour. Such speed limit shall be in force only during those times thirty minutes**
4 **before, during, and thirty minutes after the periods of time when students are arriving at**
5 **a regularly scheduled school session and leaving a regularly scheduled school session. As**
6 **used in this section, the term "school zone" means school property on which a school**
7 **building is located and the area adjacent to the school property that is designated by signs**
8 **showing the posted limit.**

9 **2. Notwithstanding the provisions of sections 304.010, 304.120, and 304.130, and**
10 **any other provision of law, the governing body of a county or municipality may establish**
11 **a speed limit within a school zone lower than twenty miles per hour if it finds, in**
12 **conjunction with the school board, that a lower limit is needed to promote public safety.**
13 **The governing body may establish such speed limit without the consent of the state**
 highways and transportation commission.

304.677. Notwithstanding any other provision of law, every driver of a motor
2 **vehicle shall exercise due care to avoid colliding with any pedestrian, any person propelling**
3 **a human- powered vehicle, or any person operating a motorcycle, and shall give an audible**

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.

4 signal when necessary, and shall exercise proper precaution upon observing any child or
5 any obviously confused, incapacitated, or intoxicated person.

6 **537.038. Any person operating a motor vehicle who intentionally, recklessly, or**
7 **negligently collides with a pedestrian, cyclist, or motorcyclist and thereby causes personal**
8 **injury to the pedestrian or cyclist shall be liable for liquidated compensatory damages of**
9 **five hundred dollars or actual damages, whichever is greater, plus reasonable attorney's**
10 **fees and court costs, unless the court determines that the motorist was not at fault. In cases**
11 **where a motorist has been shown to intentionally, recklessly, or negligently collide with a**
12 **bicyclist or pedestrian causing injury, and the motorist is shown to have six or more points**
13 **on his or her driver's license, or have a prior conviction for an intoxication-related traffic**
14 **offense, as defined in section 577.023, RSMo, or have caused a prior injury to a bicyclist**
15 **or pedestrian requiring hospitalization, that person's driver's license shall be revoked for**
16 **a period of one year and the person shall be liable for liquidated compensatory damages**
17 **of one thousand dollars or actual damages, whichever is greater, plus reasonable attorney's**
18 **fees and court costs, unless the court determines that the motorist was not at fault.**