

SECOND REGULAR SESSION

# HOUSE BILL NO. 2205

## 94TH GENERAL ASSEMBLY

---

INTRODUCED BY REPRESENTATIVES SUTHERLAND (Sponsor), COOPER (120), EL-AMIN, MEINERS, STREAM, THRELKELD, ONDER, HUBBARD, HUNTER AND BAKER (25) (Co-sponsors).

Read 1st time February 19, 2008 and copies ordered printed.

D. ADAM CRUMBLISS, Chief Clerk

4491L.01I

---

### AN ACT

To amend chapter 304, RSMo, by adding thereto one new section relating to motor vehicle offenses, with penalty provisions.

---

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

Section A. Chapter 304, RSMo, is amended by adding thereto one new section, to be  
2 known as section 304.679, to read as follows:

**304.679. 1. (1) A person is guilty of operation of a vehicle causing injury when, in  
2 the course of operating a motor vehicle in violation of any provision of this chapter, or any  
3 moving violation of a state law or county or municipal or federal traffic ordinance or  
4 regulation, the person's driving or operation of the vehicle causes physical injury to  
5 another person.**

**(2) Operation of a vehicle causing injury under subdivision (1) of this subsection  
7 is a class C misdemeanor.**

**(3) In addition to the penalty specified in subdivision (2) of this subsection, any  
9 person who pleads guilty to or is found guilty of operating a vehicle causing injury under  
10 this subsection shall be assessed a penalty of up to one thousand dollars. The court shall  
11 issue an order of suspension of such person's driving privilege for a period of no less than  
12 ninety days.**

**2. (1) A person is guilty of operation of a vehicle causing serious injury when, in  
14 the course of operating a motor vehicle in violation of any provision of this chapter, or any**

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.

15 moving violation of a state law or county or municipal or federal traffic ordinance or  
16 regulation, the person's driving or operation of the vehicle causes serious injury to another  
17 person.

18 (2) Operation of a vehicle causing serious injury under subdivision 1 of this  
19 subsection is a class B misdemeanor.

20 (3) In addition to the penalty specified in subdivision (2) of this subsection, any  
21 person who pleads guilty to or is found guilty of operating a vehicle causing serious injury  
22 under this subsection shall be assessed a penalty of up to two thousand dollars. The court  
23 shall issue an order of suspension of such person's driving privilege for a period of no less  
24 than six months.

25 3. (1) A person is guilty of operation of a vehicle causing death when, in the course  
26 of operating a motor vehicle in violation of any provision of this chapter, or any moving  
27 violation of a state law or county or municipal or federal traffic ordinance or regulation,  
28 the person's driving or operation of the vehicle causes the death of another person.

29 (2) Operation of a vehicle causing death under subdivision (1) of this subsection is  
30 a class A misdemeanor.

31 (3) In addition to the penalty specified in subdivision (2) of this subsection, any  
32 person who pleads guilty to or is found guilty of operating a vehicle causing death under  
33 this subsection shall be assessed a penalty of up to five thousand dollars. The court shall  
34 issue an order of suspension of such person's driving privilege for a period of no less than  
35 one year.

36 4. As used in this section, "physical injury" and "serious physical injury" shall  
37 have the meaning ascribed to such terms in section 556.061, RSMo.

38 5. For any court-ordered suspension under subsection 1, 2, or 3 of this section, the  
39 director of the department of revenue shall impose such suspension as set forth in the court  
40 order. The order of suspension shall include the name of the offender, the offender's  
41 driver's license number, Social Security number, and the effective date of the suspension.  
42 Any appeal of a suspension under subsection 1, 2, or 3 of this section shall be a direct  
43 appeal of the court order and subject to review by the presiding judge of the circuit court  
44 or another judge within the circuit other than the judge who issued the original order to  
45 suspend the driver's license. The director of revenue's entry of the court-ordered  
46 suspension on the driving record is not a decision subject to review under section 302.311,  
47 RSMo. Any suspension of the driver's license order by the court under this section shall  
48 be in addition to any other suspension that may occur as a result of the conviction under  
49 other provisions of law.

✓