

HOUSE AMENDMENT NO.____
TO
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Offered By

AMEND House Amendment No.____ to House Committee Substitute for Senate Bill No. 73, Page 1, Line 30, by inserting after all of said line the following:

"Further amend said bill, Page 2, Section 478.007, Line 23, by inserting after all of said section and line the following:

"302.020. 1. Unless otherwise provided for by law, it shall be unlawful for any person, except those expressly exempted by section 302.080, to:

(1) Operate any vehicle upon any highway in this state unless the person has a valid license;

(2) Operate a motorcycle or motortricycle upon any highway of this state unless such person has a valid license that shows the person has successfully passed an examination for the operation of a motorcycle or motortricycle as prescribed by the director. The director may indicate such upon a valid license issued to such person, or shall issue a license restricting the applicant to the operation of a motorcycle or motortricycle if the actual demonstration, required by section 302.173, is conducted on such vehicle;

(3) Authorize or knowingly permit a motorcycle or motortricycle owned by such person or under such person's control to be driven upon any highway by any person whose license does not indicate that the person has passed the examination for the operation of a motorcycle or motortricycle or has been issued an instruction permit therefor;

(4) Operate a motor vehicle with an instruction permit or license issued to another person.

2. Every person who is under twenty-one years of age operating or riding as a passenger on any motorcycle or motortricycle, as defined in section 301.010, upon any highway of this state 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.

3. Notwithstanding the provisions of section 302.340 any person convicted of violating subdivision (1) or (2) of subsection 1 of this section is guilty of a misdemeanor. A first violation of subdivision (1) or (2) of subsection 1 of this section shall be punishable by a fine not to exceed three hundred dollars. A second violation of subdivision (1) or (2) of subsection 1 of this section shall be punishable by imprisonment in the county jail for a term not to exceed one year and/or a fine not to exceed one thousand dollars. Any person convicted a third or subsequent time of violating subdivision (1) or (2) of subsection 1 of this section is guilty of a class D felony. Notwithstanding the provisions of section 302.340, violation of subdivisions (3) and (4) of subsection 1 of this section is a misdemeanor, the first violation punishable by a fine not to exceed three hundred dollars, a

Action Taken _____ Date _____

1 second or subsequent violation of this section punishable as a class C misdemeanor, and the penalty
2 for failure to wear protective headgear as required by subsection 2 of this section is an infraction for
3 which a fine not to exceed twenty-five dollars may be imposed. Notwithstanding all other provisions
4 of law and court rules to the contrary, no court costs shall be imposed upon any person due to such
5 violation. No points shall be assessed pursuant to section 302.302 for a failure to wear such
6 protective headgear. Prior pleas of guilty and prior findings of guilty shall be pleaded and proven in
7 the same manner as required by section 558.021."; and

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9 Further amend said bill, section 304.152, Page 2, Lines 5-7, by removing all of said lines; and

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11 Renumber remaining subsection accordingly; and"; and

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13 Further amend said bill by amending the title, enacting clause, and intersectional references
14 accordingly.
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