

House _____ Amendment NO. _____

Offered By

1 AMEND House Committee Substitute for Senate Substitute for Senate Bill No. 282, Page 3, Section
2 174.712, Line 5, by inserting after all of said section and line the following:
3

4 "302.020. 1. Unless otherwise provided for by law, it shall be unlawful for any person, except
5 those expressly exempted by section 302.080, to:

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

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

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

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

18 2. Every person **who is under twenty-one years of age** operating or riding as a passenger on
19 any motorcycle or motortricycle, as defined in section 301.010, upon any highway of this state shall
20 wear protective headgear at all times the vehicle is in motion. The protective headgear shall meet
21 reasonable standards and specifications established by the director.

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

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

9 302.132. 1. Any person at least fifteen and one-half years of age who, except for age or lack
10 of instruction in operating a motor vehicle, would otherwise be qualified to obtain a motorcycle or
11 motortricycle license or endorsement pursuant to sections 302.010 to 302.340 may apply, with the
12 written consent of the parent or guardian of such person, for a temporary motorcycle instruction
13 permit to operate a motorcycle or motortricycle.

14 2. The director shall issue a temporary motorcycle instruction permit under this section if the
15 applicant has completed a motorcycle rider training course approved under sections 302.133 to
16 302.138 and is otherwise eligible for the temporary permit. **An applicant issued a temporary**
17 **motorcycle instruction permit under this section may renew such permit two additional times,**
18 **for a total maximum permit period of eighteen months.**

19 3. A person receiving a temporary motorcycle permit and having it in his **or her** immediate
20 possession shall be entitled to operate a motorcycle or motortricycle for a period of six months upon
21 the highways of the state, and persons under the age of sixteen shall be subject to the following
22 restrictions:

23 (1) The motorcycle or motortricycle may not have an engine with a displacement of greater
24 than two hundred fifty cubic centimeters;

25 (2) The operator shall not travel at any time from a half-hour after sunset to a half-hour
26 before sunrise;

27 (3) The operator shall not carry any passengers; and

28 (4) The operator shall not travel over fifty miles from the operator's home address."; and
29

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