

**HOUSE****AMENDMENT NO. \_\_\_\_****Offered by****of**

1 AMEND House Committee Substitute for House Bill No. 1655, Page 1,  
 2 In the Title, Line 3, by deleting the words "motorcycles or  
 3 motortricycles" and inserting in lieu thereof the words "motor  
 4 vehicles"; and

5  
 6 Further amend said bill, Page 2, Section 302.020, Line 37,  
 7 by inserting after all of said line the following:

8 "304.351. 1. The driver of a vehicle approaching an  
 9 intersection shall yield the right-of-way to a vehicle which has  
 10 entered the intersection from a different highway, provided,  
 11 however, there is no form of traffic control at such  
 12 intersection.

13 2. When two vehicles enter an intersection from different  
 14 highways at approximately the same time, the driver of the  
 15 vehicle on the left shall yield the right-of-way to the driver of  
 16 the vehicle on the right. This subsection shall not apply to  
 17 vehicles approaching each other from opposite directions when the  
 18 driver of one of such vehicles is attempting to or is making a  
 19 left turn.

20 3. The driver of a vehicle within an intersection intending  
 21 to turn to the left shall yield the right-of-way to any vehicle  
 22 approaching from the opposite direction which is within the  
 23 intersection or so close thereto as to constitute an immediate  
 24 hazard.

25 4. (1) The state highways and transportation commission  
 26 with reference to state highways and local authorities with  
 27 reference to other highways under their jurisdiction may  
 28 designate through highways and erect stop signs or yield signs at  
 29 specified entrances thereto, or may designate any intersection as

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1 a stop intersection or as a yield intersection and erect stop  
2 signs or yield signs at one or more entrances to such  
3 intersection.

4 (2) Preferential right-of-way at an intersection may be  
5 indicated by stop signs or yield signs as authorized in this  
6 section:

7 (a) Except when directed to proceed by a police officer or  
8 traffic-control signal, every driver of a vehicle approaching a  
9 stop intersection, indicated by a stop sign, shall stop at a  
10 clearly marked stop line, but if none, before entering the  
11 crosswalk on the near side of the intersection, or if none, then  
12 at the point nearest the intersecting roadway where the driver  
13 has a view of approaching traffic in the intersecting roadway  
14 before entering the intersection. After having stopped, the  
15 driver shall yield the right-of-way to any vehicle which has  
16 entered the intersection from another highway or which is  
17 approaching so closely on the highway as to constitute an  
18 immediate hazard during the time when such driver is moving  
19 across or within the intersection.

20 (b) The driver of a vehicle approaching a yield sign shall  
21 in obedience to the sign slow down to a speed reasonable to the  
22 existing conditions and, if required for safety to stop, shall  
23 stop at a clearly marked stop line, but if none, then at the  
24 point nearest the intersecting roadway where the driver has a  
25 view of approaching traffic on the intersecting roadway. After  
26 slowing or stopping the driver shall yield the right-of-way to  
27 any vehicle in the intersection or approaching on another highway  
28 so closely as to constitute an immediate hazard during the time  
29 such traffic is moving across or within the intersection.

30 5. The driver of a vehicle about to enter or cross a  
31 highway from an alley, building or any private road or driveway  
32 shall yield the right-of-way to all vehicles approaching on the  
33 highway to be entered.

34 6. The driver of a vehicle intending to make a left turn  
35 into an alley, private road or driveway shall yield the  
36 right-of-way to any vehicle approaching from the opposite  
37 direction when the making of such left turn would create a

1 traffic hazard.

2 7. The state highways and transportation commission or  
3 local authorities with respect to roads under their respective  
4 jurisdictions, on any section where construction or major  
5 maintenance operations are being effected, may fix a speed limit  
6 in such areas by posting of appropriate signs, and the operation  
7 of a motor vehicle in excess of such speed limit in the area so  
8 posted shall be deemed prima facie evidence of careless and  
9 imprudent driving and a violation of section 304.010.

10 8. Notwithstanding the provisions of section 304.361,  
11 violation of this section shall be deemed a class C misdemeanor.

12 9. In addition to the penalty specified in subsection 8 of  
13 this section, any person who pleads guilty to or is found guilty  
14 of a violation of this section in which the offender is found to  
15 have caused physical injury, there shall be assessed a penalty of  
16 up to [two hundred] one thousand dollars, but not less than five  
17 hundred dollars. The court may issue an order of suspension of  
18 such person's driving privilege for a period of thirty days.

19 10. In addition to the penalty specified in subsection 8 of  
20 this section, any person who pleads guilty to or is found guilty  
21 of a violation of this section in which the offender is found to  
22 have caused serious physical injury, there shall be assessed a  
23 penalty of up to [five hundred] three thousand dollars, but not  
24 less than one thousand dollars. The court [may] shall issue an  
25 order of suspension of such person's driving privilege for a  
26 period of ninety days.

27 11. In addition to the penalty specified in subsection 8 of  
28 this section, any person who pleads guilty to or is found guilty  
29 of a violation of this section in which the offender is found to  
30 have caused a fatality, there shall be assessed a penalty of up  
31 to [one] ten thousand dollars, but not less than five thousand  
32 dollars. The court [may] shall issue an order of suspension of  
33 such person's driving privilege for a period of up to one year,  
34 but not less than six months. Such person shall also be required  
35 to participate in and successfully complete a driver-improvement  
36 program approved by the director of the department of revenue.

37 12. As used in subsections 9 and 10 of this section, the

1 terms "physical injury" and "serious physical injury" shall have  
2 the meanings ascribed to them in section 556.061.

3 13. For any court-ordered suspension under subsection 9,  
4 10, or 11 of this section, the director of the department shall  
5 impose such suspension as set forth in the court order. The  
6 order of suspension shall include the name of the offender, the  
7 offender's driver's license number, Social Security number, and  
8 the effective date of the suspension. Any appeal of a suspension  
9 imposed under subsection 9, 10, or 11 of this section shall be a  
10 direct appeal of the court order and subject to review by the  
11 presiding judge of the circuit court or another judge within the  
12 circuit other than the judge who issued the original order to  
13 suspend the driver's license. The director of revenue's entry of  
14 the court-ordered suspension on the driving record is not a  
15 decision subject to review under section 302.311. Any suspension  
16 of the driver's license ordered by the court under this section  
17 shall be in addition to any other suspension that may occur as a  
18 result of the conviction under other provisions of law."; and  
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20 Further amend said title, enacting clause and intersectional  
21 references accordingly.