

HOUSE

AMENDMENT NO. ____

Offered by

of

1 AMEND House Committee Substitute for Senate Committee
2 Substitute for Senate Bill No. 190, Page 1, In the Title, Line
3 3, by deleting the words "sales taxes" and inserting in lieu
4 thereof the word "transportation"; and
5

6 Further amend said bill, Page 4, Section 238.272, Line
7 11, 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
10 has entered the intersection from a different highway,
11 provided, however, there is no form of traffic control at such
12 intersection.

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

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

25 4. (1) The state highways and transportation commission
26 with reference to state highways and local authorities with

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1 reference to other highways under their jurisdiction may
2 designate through highways and erect stop signs or yield signs
3 at specified entrances thereto, or may designate any
4 intersection as a stop intersection or as a yield intersection
5 and erect stop signs or yield signs at one or more entrances
6 to such intersection.

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

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

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

34 5. The driver of a vehicle about to enter or cross a
35 highway from an alley, building or any private road or

1 driveway shall yield the right-of-way to all vehicles
2 approaching on the highway to be entered.

3 6. The driver of a vehicle intending to make a left turn
4 into an alley, private road or driveway shall yield the
5 right-of-way to any vehicle approaching from the opposite
6 direction when the making of such left turn would create a
7 traffic hazard.

8 7. The state highways and transportation commission or
9 local authorities with respect to roads under their respective
10 jurisdictions, on any section where construction or major
11 maintenance operations are being effected, may fix a speed
12 limit in such areas by posting of appropriate signs, and the
13 operation of a motor vehicle in excess of such speed limit in
14 the area so posted shall be deemed prima facie evidence of
15 careless and imprudent driving and a violation of section
16 304.010.

17 8. Notwithstanding the provisions of section 304.361,
18 violation of this section shall be deemed a class C
19 misdemeanor.

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

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

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

12 12. As used in subsections 9 and 10 of this section, the
13 terms "physical injury" and "serious physical injury" shall
14 have the meanings ascribed to them in section 556.061.

15 13. For any court-ordered suspension under subsection 9,
16 10, or 11 of this section, the director of the department
17 shall impose such suspension as set forth in the court order.
18 The order of suspension shall include the name of the
19 offender, the offender's driver's license number, Social
20 Security number, and the effective date of the suspension.
21 Any appeal of a suspension imposed under subsection 9, 10, or
22 11 of this section shall be a direct appeal of the court order
23 and subject to review by the presiding judge of the circuit
24 court or another judge within the circuit other than the judge
25 who issued the original order to suspend the driver's license.
26 The director of revenue's entry of the court-ordered
27 suspension on the driving record is not a decision subject to
28 review under section 302.311. Any suspension of the driver's
29 license ordered by the court under this section shall be in
30 addition to any other suspension that may occur as a result of
31 the conviction under other provisions of law."; and
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33 Further amend said title, enacting clause and
34 intersectional references accordingly.