

HOUSE

AMENDMENT NO. ____

Offered by

of

1 AMEND House Committee Substitute for Senate Substitute for Senate
2 Committee Substitute for Senate Bill No. 278, Page 1, In the
3 Title, Line 4, by inserting after the word "vehicles" the
4 following: ", with penalty provisions"; and
5

6 Further amend said bill, Page 33, Section 301.645, Line 17,
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

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1 specified entrances thereto, or may designate any intersection as
2 a stop intersection or as a yield intersection and erect stop
3 signs or yield signs at one or more entrances to such
4 intersection.

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

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

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

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

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

1 direction when the making of such left turn would create a
2 traffic hazard.

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

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

13 9. In addition to the penalty specified in subsection 8 of
14 this section, any person who pleads guilty to or is found guilty
15 of a violation of this section in which the offender is found to
16 have caused physical injury, there shall be assessed a penalty of
17 up to ~~two hundred~~ five hundred dollars, but no less than two
18 hundred dollars. The court may issue an order of suspension of
19 such person's driving privilege for a period of thirty days.

20 10. In addition to the penalty specified in subsection 8 of
21 this section, any person who pleads guilty to or is found guilty
22 of a violation of this section in which the offender is found to
23 have caused serious physical injury, there shall be assessed a
24 penalty of up to ~~five hundred~~ one thousand five hundred
25 dollars, but no less two hundred fifty dollars. The court may
26 issue an order of suspension of such person's driving privilege
27 for a period of ninety days.

28 11. In addition to the penalty specified in subsection 8 of
29 this section, any person who pleads guilty to or is found guilty
30 of a violation of this section in which the offender is found to
31 have caused a fatality, there shall be assessed a penalty of up
32 to ~~one~~ five thousand dollars, but no less than one thousand
33 dollars. The court may issue an order of suspension of such
34 person's driving privilege for a period of six months. Such
35 person shall also be required to participate in and successfully
36 complete a driver-improvement program approved by the director of
37 the department of revenue.

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

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

21 Further amend said title, enacting clause and intersectional
22 references accordingly.