

FIRST REGULAR SESSION

HOUSE BILL NO. 1114

103RD GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE CUPPS.

2372H.011

JOSEPH ENGLER, Chief Clerk

AN ACT

To repeal sections 302.171, 302.181, 302.735, and 304.351, RSMo, and to enact in lieu thereof four new sections relating to driver's license requirements.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Sections 302.171, 302.181, 302.735, and 304.351, RSMo, are repealed
2 and four new sections enacted in lieu thereof, to be known as sections 302.171, 302.181,
3 302.735, and 304.351, to read as follows:

302.171. 1. The director shall verify that an applicant for a driver's license is a
2 Missouri resident or national of the United States or a noncitizen with a lawful immigration
3 status, and a Missouri resident before accepting the application. The director shall not issue a
4 driver's license for a period that exceeds the duration of an applicant's lawful immigration
5 status in the United States. The director may establish procedures to verify the Missouri
6 residency or United States naturalization or lawful immigration status and Missouri residency
7 of the applicant and establish the duration of any driver's license issued under this section. An
8 application for a license shall be made upon an approved form furnished by the director.
9 Every application shall state the full name, ~~[Social Security number,]~~ age, height, weight,
10 color of eyes, sex, residence, mailing address of the applicant, and the classification for which
11 the applicant has been licensed, and, if so, when and by what state, and whether or not such
12 license has ever been suspended, revoked, or disqualified, and, if revoked, suspended or
13 disqualified, the date and reason for such suspension, revocation or disqualification and
14 whether the applicant is making a one or more dollar donation to promote an organ donation
15 program as prescribed in subsection 2 of this section, to promote a blindness education,
16 screening and treatment program as prescribed in subsection 3 of this section, or the Missouri

EXPLANATION — Matter enclosed in bold-faced brackets **[thus]** in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

17 medal of honor recipients fund prescribed in subsection 4 of this section. **Notwithstanding**
18 **any provision of law to the contrary, the director shall not require applicants to provide**
19 **a Social Security number or documentation of such when applying for non-REAL ID**
20 **compliant driver's licenses or nondriver's licenses.** A driver's license, nondriver's license,
21 or instruction permit issued under this chapter shall contain the applicant's legal name as it
22 appears on a birth certificate or as legally changed through marriage or court order. No name
23 change by common usage based on common law shall be permitted. The application shall
24 also contain such information as the director may require to enable the director to determine
25 the applicant's qualification for driving a motor vehicle; and shall state whether or not the
26 applicant has been convicted in this or any other state for violating the laws of this or any
27 other state or any ordinance of any municipality, relating to driving without a license, careless
28 driving, or driving while intoxicated, or failing to stop after an accident and disclosing the
29 applicant's identity, or driving a motor vehicle without the owner's consent. The application
30 shall contain a certification by the applicant as to the truth of the facts stated therein. Every
31 person who applies for a license to operate a motor vehicle who is less than twenty-one years
32 of age shall be provided with educational materials relating to the hazards of driving while
33 intoxicated, including information on penalties imposed by law for violation of the
34 intoxication-related offenses of the state. Beginning January 1, 2001, if the applicant is less
35 than eighteen years of age, the applicant must comply with all requirements for the issuance
36 of an intermediate driver's license pursuant to section 302.178. For persons mobilized and
37 deployed with the United States Armed Forces, an application under this subsection shall be
38 considered satisfactory by the department of revenue if it is signed by a person who holds
39 general power of attorney executed by the person deployed, provided the applicant meets all
40 other requirements set by the director.

41 2. An applicant for a license may make a donation of an amount not less than one
42 dollar to promote an organ donor program. The director of revenue shall collect the donations
43 and deposit all such donations in the state treasury to the credit of the organ donor program
44 fund established in sections 194.297 to 194.304. Moneys in the organ donor program fund
45 shall be used solely for the purposes established in sections 194.297 to 194.304 except that
46 the department of revenue shall retain no more than one percent for its administrative costs.
47 The donation prescribed in this subsection is voluntary and may be refused by the applicant
48 for the license at the time of issuance or renewal of the license. The director shall make
49 available an informational booklet or other informational sources on the importance of organ
50 and tissue donations to applicants for licensure as designed by the organ donation advisory
51 committee established in sections 194.297 to 194.304. The director shall inquire of each
52 applicant at the time the licensee presents the completed application to the director whether
53 the applicant is interested in making the one or more dollar donation prescribed in this

54 subsection and whether the applicant is interested in inclusion in the organ donor registry and
55 shall also specifically inform the licensee of the ability to consent to organ donation by
56 placing a donor symbol sticker authorized and issued by the department of health and senior
57 services on the back of his or her driver's license or identification card as prescribed by
58 subdivision (1) of subsection 1 of section 194.225. A symbol may be placed on the front of
59 the license or identification card indicating the applicant's desire to be listed in the registry at
60 the applicant's request at the time of his or her application for a driver's license or
61 identification card, or the applicant may instead request an organ donor sticker from the
62 department of health and senior services by application on the department of health and senior
63 services' website. Upon receipt of an organ donor sticker sent by the department of health and
64 senior services, the applicant shall place the sticker on the back of his or her driver's license or
65 identification card to indicate that he or she has made an anatomical gift. The director shall
66 notify the department of health and senior services of information obtained from applicants
67 who indicate to the director that they are interested in registry participation, and the
68 department of health and senior services shall enter the complete name, address, date of birth,
69 race, gender and a unique personal identifier in the registry established in subsection 1 of
70 section 194.304.

71 3. An applicant for a license may make a donation of one dollar to promote a
72 blindness education, screening and treatment program. The director of revenue shall collect
73 the donations and deposit all such donations in the state treasury to the credit of the blindness
74 education, screening and treatment program fund established in section 209.015. Moneys in
75 the blindness education, screening and treatment program fund shall be used solely for the
76 purposes established in section 209.015; except that the department of revenue shall retain no
77 more than one percent for its administrative costs. The donation prescribed in this subsection
78 is voluntary and may be refused by the applicant for the license at the time of issuance or
79 renewal of the license. The director shall inquire of each applicant at the time the licensee
80 presents the completed application to the director whether the applicant is interested in
81 making the one dollar donation prescribed in this subsection.

82 4. An applicant for registration may make a donation of one dollar to the Missouri
83 medal of honor recipients fund. The director of revenue shall collect the donations and
84 deposit all such donations in the state treasury to the credit of the Missouri medal of honor
85 recipients fund as established in section 226.925. Moneys in the medal of honor recipients
86 fund shall be used solely for the purposes established in section 226.925, except that the
87 department of revenue shall retain no more than one percent for its administrative costs. The
88 donation prescribed in this subsection is voluntary and may be refused by the applicant for
89 registration at the time of issuance or renewal. The director shall inquire of each applicant at

90 the time the applicant presents the completed application to the director whether the applicant
91 is interested in making the one dollar donation prescribed in this subsection.

92 5. Beginning July 1, 2005, the director shall deny the driving privilege of any person
93 who commits fraud or deception during the examination process or who makes application
94 for an instruction permit, driver's license, or nondriver's license which contains or is
95 substantiated with false or fraudulent information or documentation, or who knowingly
96 conceals a material fact or otherwise commits a fraud in any such application. The period of
97 denial shall be one year from the effective date of the denial notice sent by the director. The
98 denial shall become effective ten days after the date the denial notice is mailed to the person.
99 The notice shall be mailed to the person at the last known address shown on the person's
100 driving record. The notice shall be deemed received three days after mailing unless returned
101 by the postal authorities. No such individual shall reapply for a driver's examination,
102 instruction permit, driver's license, or nondriver's license until the period of denial is
103 completed. No individual who is denied the driving privilege under this section shall be
104 eligible for a limited driving privilege issued under section 302.309.

105 6. All appeals of denials under this section shall be made as required by section
106 302.311.

107 7. The period of limitation for criminal prosecution under this section shall be
108 extended under subdivision (1) of subsection 3 of section 556.036.

109 8. The director may promulgate rules and regulations necessary to administer and
110 enforce this section. No rule or portion of a rule promulgated pursuant to the authority of this
111 section shall become effective unless it has been promulgated pursuant to chapter 536.

112 9. Notwithstanding any provision of this chapter that requires an applicant to provide
113 proof of Missouri residency for renewal of a noncommercial driver's license, noncommercial
114 instruction permit, or nondriver's license, an applicant who is sixty-five years and older and
115 who was previously issued a Missouri noncommercial driver's license, noncommercial
116 instruction permit, or Missouri nondriver's license is exempt from showing proof of Missouri
117 residency.

118 10. Notwithstanding any provision of this chapter, for the renewal of a
119 noncommercial driver's license, noncommercial instruction permit, or nondriver's license, a
120 photocopy of an applicant's United States birth certificate along with another form of
121 identification approved by the department of revenue, including, but not limited to, United
122 States military identification or United States military discharge papers, shall constitute
123 sufficient proof of Missouri citizenship.

124 11. Notwithstanding any other provision of this chapter, if an applicant does not meet
125 the requirements of subsection 9 of this section and does not have the required documents to
126 prove Missouri residency, United States naturalization, or lawful immigration status, the

127 department may issue a one-year driver's license renewal. This one-time renewal shall only
128 be issued to an applicant who previously has held a Missouri noncommercial driver's license,
129 noncommercial instruction permit, or nondriver's license for a period of fifteen years or more
130 and who does not have the required documents to prove Missouri residency, United States
131 naturalization, or lawful immigration status. After the expiration of the one-year period, no
132 further renewal shall be provided without the applicant producing proof of Missouri
133 residency, United States naturalization, or lawful immigration status.

302.181. 1. The license issued pursuant to the provisions of sections 302.010 to
2 302.340 shall be in such form as the director shall prescribe, but the license shall be a card
3 made of plastic or other comparable material. All licenses shall be manufactured of materials
4 and processes that will prohibit, as nearly as possible, the ability to reproduce, alter,
5 counterfeit, forge, or duplicate any license without ready detection. The license shall also
6 bear the expiration date of the license, the classification of the license, the name, date of birth,
7 residence address including the county of residence or a code number corresponding to such
8 county established by the department, and brief description and colored digitized image of the
9 licensee, and a facsimile of the signature of the licensee. The director shall provide by
10 administrative rule the procedure and format for a licensee to indicate on the back of the
11 license together with the designation for an anatomical gift as provided in section 194.240 the
12 name and address of the person designated pursuant to sections 404.800 to 404.865 as the
13 licensee's attorney in fact for the purposes of a durable power of attorney for health care
14 decisions. No license shall be valid until it has been so signed by the licensee. If any portion
15 of the license is prepared by a private firm, any contract with such firm shall be made in
16 accordance with the competitive purchasing procedures as established by the state director of
17 the division of purchasing. **Notwithstanding any provision of this chapter to the contrary,**
18 **the director shall not require applicants to be photographed when applying for non-**
19 **REAL ID compliant driver's licenses or nondriver's licenses; an applicant may instead**
20 **submit an alternative photograph or digitized image of the applicant, provided that the**
21 **photograph or digitized image submitted is:**

22 (1) In color;

23 (2) Sized such that the applicant's head is between one inch and one and three-
24 eighths inches;

25 (3) Taken within the last six months to reflect the applicant's current
26 appearance;

27 (4) Taken in front of a plain white or solid color background; and

28 (5) Taken in full-face view directly facing the camera with a neutral facial
29 expression with both eyes wide open and visible.

30

31 **The applicant shall not wear a hat or head covering that obstructs the applicant's hair**
32 **or hairline in the alternative photograph or digitized image unless the hat or head**
33 **covering is worn daily for a religious purpose. The applicant shall not wear**
34 **headphones, wireless hands-free devices, or other similar items in the alternative**
35 **photograph or digitized image. If an applicant normally wears a medical device or**
36 **similar article, such item may be worn in an applicant's alternative photograph or**
37 **digitized image.**

38 2. All digital images produced for licenses shall become the property of the
39 department of revenue.

40 3. The license issued shall be carried at all times by the holder thereof while driving a
41 motor vehicle, and shall be displayed upon demand of any officer of the highway patrol, or
42 any police officer or peace officer, or any other duly authorized person, for inspection when
43 demand is made therefor. Failure of any operator of a motor vehicle to exhibit his or her
44 license to any duly authorized officer shall be presumptive evidence that such person is not a
45 duly licensed operator.

46 4. The director of revenue shall not issue a license without a facial digital image of
47 the license applicant, except as provided pursuant to subsection 7 of this section. A digital
48 image of the applicant's full facial features shall be taken in a manner prescribed by the
49 director. No digital image shall be taken wearing anything which cloaks the facial features of
50 the individual.

51 5. The department of revenue may issue a temporary license or a full license without
52 the photograph or with the last photograph or digital image in the department's records to
53 members of the Armed Forces, except that where such temporary license is issued it shall be
54 valid only until the applicant shall have had time to appear and have his or her picture taken
55 and a license with his or her photograph issued.

56 6. The department of revenue shall issue upon request a nondriver's license card
57 containing essentially the same information and photograph or digital image, except as
58 provided pursuant to subsection 7 of this section, as the driver's license upon payment of six
59 dollars. All nondriver's licenses shall expire on the applicant's birthday in the sixth year after
60 issuance. A person who has passed his or her seventieth birthday shall upon application be
61 issued a nonexpiring nondriver's license card. Notwithstanding any other provision of this
62 chapter, a nondriver's license containing a concealed carry endorsement shall expire three
63 years from the date the certificate of qualification was issued pursuant to section 571.101, as
64 section 571.101 existed prior to August 28, 2013. The fee for nondriver's licenses issued for a
65 period exceeding three years is six dollars or three dollars for nondriver's licenses issued for a
66 period of three years or less. The nondriver's license card shall be used for identification
67 purposes only and shall not be valid as a license.

68 7. If otherwise eligible, an applicant may receive a driver's license or nondriver's
69 license without a photograph or digital image of the applicant's full facial features except that
70 such applicant's photograph or digital image shall be taken and maintained by the director and
71 not printed on such license. In order to qualify for a license without a photograph or digital
72 image pursuant to this section the applicant must:

73 (1) Present a form provided by the department of revenue requesting the applicant's
74 photograph be omitted from the license or nondriver's license due to religious affiliations.
75 The form shall be signed by the applicant and another member of the religious tenant
76 verifying the photograph or digital image exemption on the license or nondriver's license is
77 required as part of their religious affiliation. The required signatures on the prescribed form
78 shall be properly notarized;

79 (2) Provide satisfactory proof to the director that the applicant has been a United
80 States citizen for at least five years and a resident of this state for at least one year, except that
81 an applicant moving to this state possessing a valid driver's license from another state without
82 a photograph shall be exempt from the one-year state residency requirement. The director
83 may establish rules necessary to determine satisfactory proof of citizenship and residency
84 pursuant to this section;

85 (3) Applications for a driver's license or nondriver's license without a photograph or
86 digital image must be made in person at a license office determined by the director. The
87 director is authorized to limit the number of offices that may issue a driver's or nondriver's
88 license without a photograph or digital image pursuant to this section.

89 8. The department of revenue shall make available, at one or more locations within
90 the state, an opportunity for individuals to have their full facial photograph taken by an
91 employee of the department of revenue, or their designee, who is of the same sex as the
92 individual being photographed, in a segregated location.

93 9. Beginning July 1, 2005, the director shall not issue a driver's license or a
94 nondriver's license for a period that exceeds an applicant's lawful presence in the United
95 States. The director may, by rule or regulation, establish procedures to verify the lawful
96 presence of the applicant and establish the duration of any driver's license or nondriver's
97 license issued under this section.

98 10. (1) Notwithstanding any biometric data restrictions contained in section 302.170,
99 the department of revenue is hereby authorized to design and implement a secure digital
100 driver's license program that allows applicants applying for a driver's license in accordance
101 with this chapter to obtain a secure digital driver's license in addition to the physical card-
102 based license specified in this section.

103 (2) A digital driver's license as described in this subsection shall be accepted for all
104 purposes for which a license, as defined in section 302.010, is used.

105 (3) The department may contract with one or more entities to develop the secure
106 digital driver's license system. The department or entity may develop a mobile software
107 application capable of being utilized through a person's electronic device to access the
108 person's secure digital driver's license.

109 (4) The department shall suspend, disable, or terminate a person's participation in the
110 secure digital driver's license program if:

111 (a) The person's driving privilege is suspended, revoked, denied, withdrawn, or
112 cancelled as provided in this chapter; or

113 (b) The person reports that the person's electronic device has been lost, stolen, or
114 compromised.

115 11. The director of the department of revenue may promulgate rules as necessary for
116 the implementation of this section. Any rule or portion of a rule, as that term is defined in
117 section 536.010 that is created under the authority delegated in this section shall become
118 effective only if it complies with and is subject to all of the provisions of chapter 536 and, if
119 applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the
120 powers vested with the general assembly pursuant to chapter 536 to review, to delay the
121 effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then
122 the grant of rulemaking authority and any rule proposed or adopted after August 28, 2020,
123 shall be invalid and void.

302.735. 1. An application shall not be taken from a nonresident after September 30,
2 2005. The application for a commercial driver's license shall include, but not be limited to,
3 the applicant's legal name, mailing and residence address, if different, a physical description
4 of the person, including sex, height, weight and eye color, the person's Social Security
5 number **for applicants applying for a REAL ID-compliant license**, date of birth, and any
6 other information deemed appropriate by the director. The application shall also require,
7 beginning September 30, 2005, the applicant to provide the names of all states where the
8 applicant has been previously licensed to drive any type of motor vehicle during the
9 preceding ten years.

10 2. A commercial driver's license shall expire on the applicant's birthday in the sixth
11 year after issuance, unless the license must be issued for a shorter period due to other
12 requirements of law or for transition or staggering of work as determined by the director, and
13 must be renewed on or before the date of expiration. When a person changes such person's
14 name an application for a duplicate license shall be made to the director of revenue. When a
15 person changes such person's mailing address or residence the applicant shall notify the
16 director of revenue of said change, however, no application for a duplicate license is required.
17 A commercial license issued pursuant to this section to an applicant less than twenty-one
18 years of age and seventy years of age and older shall expire on the applicant's birthday in the

19 third year after issuance, unless the license must be issued for a shorter period as determined
20 by the director.

21 3. A commercial driver's license containing a hazardous materials endorsement issued
22 to an applicant who is between the age of twenty-one and sixty-nine shall not be issued for a
23 period exceeding five years from the approval date of the security threat assessment as
24 determined by the Transportation Security Administration.

25 4. The director shall issue an annual commercial driver's license containing a school
26 bus endorsement to an applicant who is seventy years of age or older. The fee for such license
27 shall be seven dollars and fifty cents.

28 5. A commercial driver's license containing a hazardous materials endorsement issued
29 to an applicant who is seventy years of age or older shall not be issued for a period exceeding
30 three years. The director shall not require such drivers to obtain a security threat assessment
31 more frequently than such assessment is required by the Transportation Security
32 Administration under the Uniting and Strengthening America by Providing Appropriate
33 Tools Required to Intercept and Obstruct Terrorism Act (USA PATRIOT ACT) of 2001.

34 (1) The state shall immediately revoke a hazardous materials endorsement upon
35 receipt of an initial determination of threat assessment and immediate revocation from the
36 Transportation Security Administration as defined by 49 CFR 1572.13(a).

37 (2) The state shall revoke or deny a hazardous materials endorsement within fifteen
38 days of receipt of a final determination of threat assessment from the Transportation Security
39 Administration as required by CFR 1572.13(a).

40 6. The fee for a commercial driver's license or renewal commercial driver's license
41 issued for a period greater than three years shall be forty dollars.

42 7. The fee for a commercial driver's license or renewal commercial driver's license
43 issued for a period of three years or less shall be twenty dollars.

44 8. The fee for a duplicate commercial driver's license shall be twenty dollars.

45 9. In order for the director to properly transition driver's license requirements under
46 the Motor Carrier Safety Improvement Act of 1999 and the Uniting and Strengthening
47 America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism Act
48 (USA PATRIOT ACT) of 2001, the director is authorized to stagger expiration dates and
49 make adjustments for any fees, including driver examination fees that are incurred by the
50 driver as a result of the initial issuance of a transitional license required to comply with such
51 acts.

52 10. Within thirty days after moving to this state, the holder of a commercial driver's
53 license shall apply for a commercial driver's license in this state. The applicant shall meet all
54 other requirements of sections 302.700 to 302.780, except that the director may waive the
55 driving test for a commercial driver's license as required in section 302.720 if the applicant

56 for a commercial driver's license has a valid commercial driver's license from a state which
57 has requirements for issuance of such license comparable to those in this state.

58 11. Any person who falsifies any information in an application or test for a
59 commercial driver's license shall not be licensed to operate a commercial motor vehicle, or
60 the person's commercial driver's license shall be cancelled, for a period of one year after the
61 director discovers such falsification.

62 12. Beginning July 1, 2005, the director shall not issue a commercial driver's license
63 under this section unless the director verifies that the applicant is lawfully present in the
64 United States before accepting the application. If lawful presence is granted for a temporary
65 period, no commercial driver's license shall be issued. The director may, by rule or
66 regulation, establish procedures to verify the lawful presence of the applicant and establish
67 the duration of any commercial driver's license issued under this section. No rule or portion
68 of a rule promulgated pursuant to the authority of this section shall become effective unless it
69 has been promulgated pursuant to chapter 536.

70 13. (1) Effective December 19, 2005, notwithstanding any provisions of subsections
71 1 and 5 of this section to the contrary, the director may issue a nondomiciled commercial
72 driver's license or commercial driver's instruction permit to a resident of a foreign jurisdiction
73 if the United States Secretary of Transportation has determined that the commercial motor
74 vehicle testing and licensing standards in the foreign jurisdiction do not meet the testing
75 standards established in 49 CFR 383.

76 (2) Any applicant for a nondomiciled commercial driver's license or commercial
77 driver's instruction permit must present evidence satisfactory to the director that the applicant
78 currently has employment with an employer in this state. The nondomiciled applicant must
79 meet the same testing, driver record requirements, conditions, and is subject to the same
80 disqualification and conviction reporting requirements applicable to resident commercial
81 drivers.

82 (3) The nondomiciled commercial driver's license will expire on the same date that
83 the documents establishing lawful presence for employment expire. The word
84 "nondomiciled" shall appear on the face of the nondomiciled commercial driver's license.
85 Any applicant for a Missouri nondomiciled commercial driver's license or commercial
86 driver's instruction permit must first surrender any nondomiciled commercial driver's license
87 issued by another state.

88 (4) The nondomiciled commercial driver's license applicant must pay the same fees as
89 required for the issuance of a resident commercial driver's license or commercial driver's
90 instruction permit.

91 14. Foreign jurisdiction for purposes of issuing a nondomiciled commercial driver's
92 license or commercial driver's instruction permit under this section shall not include any of
93 the fifty states of the United States or Canada or Mexico.

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

4 2. When two vehicles enter an intersection from different highways at approximately
5 the same time, the driver of the vehicle on the left shall yield the right-of-way to the driver of
6 the vehicle on the right. This subsection shall not apply to vehicles approaching each other
7 from opposite directions when the driver of one of such vehicles is attempting to or is making
8 a left turn.

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

12 4. (1) The state highways and transportation commission with reference to state
13 highways and local authorities with reference to other highways under their jurisdiction may
14 designate through highways and erect stop signs or yield signs at specified entrances thereto,
15 or may designate any intersection as a stop intersection or as a yield intersection and erect
16 stop signs or yield signs at one or more entrances to such intersection.

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

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

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

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

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

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

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

49 9. In addition to the penalty specified in subsection 8 of this section, any person who
50 pleads guilty to or is found guilty of a violation of this section in which the offender is found
51 to have caused physical injury, there shall be assessed a penalty of up to two hundred dollars.
52 The court may issue an order of suspension of such person's driving privilege for a period of
53 thirty days.

54 10. In addition to the penalty specified in subsection 8 of this section, any person who
55 pleads guilty to or is found guilty of a violation of this section in which the offender is found
56 to have caused serious physical injury, there shall be assessed a penalty of up to five hundred
57 dollars. The court may issue an order of suspension of such person's driving privilege for a
58 period of ninety days.

59 11. In addition to the penalty specified in subsection 8 of this section, any person who
60 pleads guilty to or is found guilty of a violation of this section in which the offender is found
61 to have caused a fatality, there shall be assessed a penalty of up to one thousand dollars. The
62 court may issue an order of suspension of such person's driving privilege for a period of six
63 months.

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

66 13. For any court-ordered suspension under subsection 9, 10, or 11 of this section, the
67 director of the department shall impose such suspension as set forth in the court order. The
68 order of suspension shall include the name of the offender, the offender's driver's license
69 number, ~~[Social Security number,]~~ and the effective date of the suspension. Any appeal of a
70 suspension imposed under subsection 9, 10, or 11 of this section shall be a direct appeal of the
71 court order and subject to review by the presiding judge of the circuit court or another judge

72 within the circuit other than the judge who issued the original order to suspend the driver's
73 license. The director of revenue's entry of the court-ordered suspension on the driving record
74 is not a decision subject to review under section 302.311. Any suspension of the driver's
75 license ordered by the court under this section shall be in addition to any other suspension that
76 may occur as a result of the conviction under other provisions of law.

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