

House _____ Amendment NO. _____

Offered By

1 AMEND House Committee Substitute for Senate Bill No. 681, Page 5, Section 217.722, Line 38,
2 by inserting after all of said section and line the following:

3
4 "304.351. 1. The driver of a vehicle approaching an intersection shall yield the right-of-way
5 to a vehicle which has entered the intersection from a different highway, provided, however, there is
6 no form of traffic control at such intersection.

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

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

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

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

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

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

36 5. The driver of a vehicle about to enter or cross a highway from an alley, building or any
Standing Action Taken _____ Date _____

Select Action Taken _____ Date _____

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

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

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

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

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

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

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

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

32 13. For any court-ordered suspension under subsection 9, 10, or 11 of this section, the
33 director of the department shall impose such suspension as set forth in the court order. The order of
34 suspension shall include the name of the offender, the offender's driver's license number, Social
35 Security number, and the effective date of the suspension. Any appeal of a suspension imposed
36 under subsection 9, 10, or 11 of this section shall be a direct appeal of the court order and subject to
37 review by the presiding judge of the circuit court or another judge within the circuit other than the
38 judge who issued the original order to suspend the driver's license. The director of revenue's entry
39 of the court-ordered suspension on the driving record is not a decision subject to review under
40 section 302.311. Any suspension of the driver's license ordered by the court under this section shall
41 be in addition to any other suspension that may occur as a result of the conviction under other
42 provisions of law."; and

43
44 Further amend said bill by amending the title, enacting clause, and intersectional references
45 accordingly.