

FIRST REGULAR SESSION

HOUSE BILL NO. 749

93RD GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE DIXON.

Read 1st time March 9, 2005 and copies ordered printed.

STEPHEN S. DAVIS, Chief Clerk

1885L.011

AN ACT

To amend chapter 304, RSMo, by adding thereto one new section relating to school zones, with an emergency clause.

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

Section A. Chapter 304, RSMo, is amended by adding thereto one new section, to be
2 known as section 304.055, to read as follows:

**304.055. 1. As used in this section, the term "school zone" means any area upon
2 or around any street or highway as defined in section 302.010, RSMo, which is visibly
3 marked by a sign erected by a county or municipality as an area in which a school building
4 is located and the sections of street or highway on or adjacent to the school property that
5 are designated by signs indicating that it is a school and showing the posted limit, or a
6 section of street or highway where a school crossing is located that is designated by signs
7 indicating that it is a school crossing and showing the posted speed limit.**

**8 2. Any county of the first classification with more than two hundred forty thousand
9 three hundred but less than two hundred forty thousand four hundred inhabitants that
10 elects to establish a school zone designation for streets surrounding a school may erect
11 signs on or around the school zone which are clearly visible from the highway and clearly
12 indicate the boundaries of the school zone and hours of enforcement. These signs shall
13 state substantially the following message: "Warning: \$250 fine for traffic violations in this
14 school zone". Prior to establishing a school zone, the county or municipality shall be
15 responsible for determining the boundaries of the zone, the hours of enforcement, and shall
16 assume responsibility for all costs association with establishing the school zone.**

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 **3. Upon the first conviction or plea of guilty by any person for a moving violation**
18 **as defined in section 302.010, RSMo, or any offense listed in section 302.302, RSMo, the**
19 **court shall assess a fine of thirty-five dollars in addition to any other fine authorized to be**
20 **imposed by law if the offense occurred within a school zone during the hours of**
21 **enforcement. A second or subsequent violation of this subsection shall result in the court**
22 **assessing a fine of one hundred dollars in addition to any other fine authorized to be**
23 **imposed by law.**

24 **4. Upon the first conviction or plea of guilty by any person for a speeding violation**
25 **under sections 304.009 to 304.010, the court shall assess a fine of two hundred fifty dollars**
26 **in addition to any other fine authorized by law if the offense occurred within a school zone**
27 **during hours of enforcement. A second or subsequent violation of this subsection shall**
28 **result in the court assessing a fine of three hundred dollars in addition to any other fine**
29 **authorized by law. However, no person assessed an additional fine under this section shall**
30 **also be assessed an additional fine under subsection 3 of this section, and no person shall**
31 **be assessed an additional fine under this subsection if no signs have been posted under**
32 **subsection 2 of this section.**

33 **5. This section shall not be construed to enhance the assessment of court costs or**
34 **the assessment of points under section 302.302, RSMo.**

 Section B. Because immediate action is necessary to ensure the safety of school children,
2 section A of this act is deemed necessary for the immediate preservation of the public health,
3 welfare, peace, and safety, and is hereby declared to be an emergency act within the meaning of
4 the constitution, and section A of this act shall be in full force and effect upon its passage and
5 approval.