

HCS SS SB 282 -- TRAFFIC OFFENSES AND DRIVING PRIVILEGES

SPONSOR: Wasson (Hough)

COMMITTEE ACTION: Voted "Do Pass" by the Committee on Transportation by a vote of 13 to 0.

This substitute changes the laws regarding traffic violations and driving privileges.

COLLEGIATE REGULATION OF VEHICULAR TRAFFIC

The substitute allows the governing body of any state college or university to establish regulations to control vehicular traffic on campus. The regulations must be consistent with state law and must be printed and distributed for public use. College or university police officers have the authority to enforce the general motor vehicle laws of Missouri and the regulations adopted by the governing board. There must be adequate signs displaying the speed limit on thoroughfares. Violations will have the same effect as a municipal ordinance with penalty provisions and points assessed. State college or university police officers must be certified under Chapter 590, RSMo, and will have the same powers as other law enforcement officers (Sections 174.700, 174.703, 174.706, 174.709, 174.712, and 544.157).

SUSPENSION OF DRIVING PRIVILEGES

Currently, if a person's driving privileges are suspended for failing to dispose of charges related to a moving violation, his or her driving privileges will be suspended until proof of the final disposition of charges is furnished to the Director of the Department of Revenue. Upon proof of disposition of charges and payment of any fine and reinstatement fees, the license must be restored and the suspension removed from the person's record if he or she was not operating a commercial motor vehicle or a holder of a commercial driver's license. The bill specifies that the suspension will not be removed from the offender's record (Section 302.341).

ENDANGERMENT OF EMERGENCY WORKERS

The substitute increases the penalty for a moving violation or traffic offense occurring within an active emergency zone. An "active emergency zone" is an area that is visibly marked by emergency responders on or around a highway where an active emergency or incident removal is temporarily occurring.

A person convicted of a first moving violation or traffic offense

within an active emergency zone must be assessed a fine of \$35 in addition to any other fine authorized by law. A second or subsequent offense within an active emergency zone must be assessed a fine of \$75 in addition to any other fine (Section 304.892.1).

The bill makes it a Class C misdemeanor to pass another vehicle in an active emergency zone, and a person who pleads guilty to or is convicted of a speeding or passing violation must be assessed a fine of \$250 for a first offense and \$300 for any subsequent offense in addition to any other fine authorized by law (Section 304.892.2 and .3).

The substitute creates the offense of endangerment of an emergency responder. A person commits the offense if, while in an active emergency zone with emergency responders present, the person:

- (1) Exceeds the posted speed limit by 15 mph or more;
- (2) Passes another vehicle;
- (3) Fails to stop for a flagman, an emergency responder, or a traffic control signal in the active emergency zone;
- (4) Drives through, or around an active emergency zone via any lane that is not for motorists;
- (5) Physically assaults, threatens, or attempts to assault an emergency responder with a motor vehicle or other instrument; or
- (6) Intentionally strikes or moves a barrel, barrier, sign or other device for a reason other than to avoid an obstacle, emergency, or to protect the health and safety of another person.

When injury or death does not result, a person who pleads guilty to, or is convicted of, endangering an emergency responder is subject to a fine of up to \$1,000 and assessed four points to his or her license (Section 304.894.2).

If the death or injury of an emergency responder results, the person commits aggravated endangerment of an emergency responder and is subject to a fine of up to \$5,000 if a responder is injured, and \$10,000 if death resulted and 12 points will be assessed to his or her license (Section 304.894.3).

A person will not be cited for committing the endangerment or aggravated endangerment of an emergency responder if the act is the result of a vehicle's mechanical failure or the negligence of another person.

PROPONENTS: Supporters say that the bill will save lives and make the roadways safer.

Testifying for the bill were Senator Wasson; William Patt, Chief, Steelville Ambulance District; Missouri Ambulance Association; and Ambulance District Association of Missouri.

OPPONENTS: There was no opposition voiced to the committee.