

House _____ Amendment NO. _____

Offered By

1 AMEND House Committee Substitute for Senate Substitute No. 2 for Senate Committee Substitute
2 for Senate Bill No. 523, Page 76, Section 285.040, Line 2, by inserting after all of said section and
3 line the following:

4
5 "302.020. 1. Unless otherwise provided for by law, it shall be unlawful for any person,
6 except those expressly exempted by section 302.080, to:

7 (1) Operate any vehicle upon any highway in this state unless the person has a valid license;

8 (2) Operate a motorcycle or motortricycle upon any highway of this state unless such person
9 has a valid license that shows the person has successfully passed an examination for the operation of
10 a motorcycle or motortricycle as prescribed by the director. The director may indicate such upon a
11 valid license issued to such person, or shall issue a license restricting the applicant to the operation
12 of a motorcycle or motortricycle if the actual demonstration, required by section 302.173, is
13 conducted on such vehicle;

14 (3) Authorize or knowingly permit a motorcycle or motortricycle owned by such person or
15 under such person's control to be driven upon any highway by any person whose license does not
16 indicate that the person has passed the examination for the operation of a motorcycle or
17 motortricycle or has been issued an instruction permit therefor;

18 (4) Operate a motor vehicle with an instruction permit or license issued to another person.

19 2. Every person under eighteen years of age who is operating or riding as a passenger on
20 any motorcycle or motortricycle, as defined in section 301.010, upon any highway of this state shall
21 wear protective headgear at all times the vehicle is in motion; except that, any person eighteen years
22 of age or older operating any motorcycle or motortricycle who has been issued an instruction permit
23 shall wear protective headgear at all times the vehicle is in motion. The protective headgear shall
24 meet reasonable standards and specifications established by the director.

25 3. Notwithstanding the provisions of section 302.340 any person convicted of violating
26 subdivision (1) or (2) of subsection 1 of this section is guilty of a misdemeanor. A first violation of
27 subdivision (1) or (2) of subsection 1 of this section shall be punishable as a class D misdemeanor.
28 A second violation of subdivision (1) or (2) of subsection 1 of this section shall be punishable as a
29 class A misdemeanor. Any person convicted a third or subsequent time of violating subdivision (1)
30 or (2) of subsection 1 of this section is guilty of a class E felony. Notwithstanding the provisions of
31 section 302.340, violation of subdivisions (3) and (4) of subsection 1 of this section is a

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1 misdemeanor, the first violation punishable as a class D misdemeanor, a second or subsequent
2 violation of this section punishable as a class C misdemeanor, and the penalty for failure to wear
3 protective headgear as required by subsection 2 of this section is an infraction for which a fine not to
4 exceed twenty-five dollars may be imposed. Notwithstanding all other provisions of law and court
5 rules to the contrary, no court costs shall be imposed upon any person due to such violation. No
6 points shall be assessed pursuant to section 302.302 for a failure to wear such protective headgear.
7 Prior pleas of guilty and prior findings of guilty shall be pleaded and proven in the same manner as
8 required by section 558.021.

9 302.026. 1. Any qualified motorcycle operator who is eighteen years of age or older may
10 operate a motorcycle or motortricycle upon any highway of this state without wearing protective
11 headgear if he or she in addition to maintaining proof of financial responsibility in accordance with
12 chapter 303, is covered by a health insurance policy or other form of insurance which will provide
13 the person with medical benefits for injuries incurred as a result of an accident while operating or
14 riding on a motorcycle or motortricycle.

15 2. Proof of coverage required by subsection 1 of this section shall be provided, upon request
16 by authorized law enforcement, by showing a copy of the qualified operator's insurance card."; and

17
18 Further amend said bill by amending the title, enacting clause, and intersectional references
19 accordingly.