

SECOND REGULAR SESSION

SENATE BILL NO. 799

90TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR EHLMANN.

Read 1st time January 10, 2000, and 1,000 copies ordered printed.

3155S.03I

TERRY L. SPIELER, Secretary.

AN ACT

To amend chapter 577, RSMo, by adding thereto three new sections relating to the offense of aggressive driving, with penalty provisions.

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

Section A. Chapter 577, RSMo, is amended by adding thereto three new sections, to be known as sections 577.520, 577.523 and 577.526, to read as follows:

577.520. 1. A person commits aggressive driving if both of the following occur:

(1) During the course of conduct the person commits a violation of either section 304.009 or 304.011, RSMo, and at least two of the following violations:

(a) Failure to obey traffic control devices;

(b) Overtaking and passing another vehicle on the right by driving off the pavement or main traveled portion of the roadway as provided in section 304.016, RSMo;

(c) Brandishing a firearm, or any object similar in appearance to a firearm, whether capable of being fired;

(d) Following a vehicle too closely as provided in section 304.107, RSMo;

(e) Unsafe lane change as provided in sections 304.015 and 304.016;

(f) Failure to yield the right-of-way as provided in section 304.105, RSMo; and

(2) The person driving is an immediate hazard to another person or vehicle.

2. For the purposes of this section, "course of conduct" means a series of acts committed during a single, continuous period of driving.

3. Aggressive driving is a class A misdemeanor. Nothing contained in any other provision of law shall prevent imposition of sentences for both aggressive driving and any of the other offenses listed in subsection 1 of this section.

577.523. 1. In addition to any other penalty, for the first offense of aggressive

driving, the court shall order the driver to attend, at his or her own expense, a course of traffic safety approved by the department of revenue. The course shall review principles of motor vehicle operation and the need to practice safe driving behavior and shall be offered by the department of revenue or any other organization conducting such a program certified by the director of revenue.

2. The court shall enter an order suspending the person's driver's license or driving privileges for a period of thirty days for the first offense of aggressive driving.

3. For a subsequent offense within two years, the court shall issue an order revoking the person's driver's license or driving privileges for a period of one year.

4. If the driver is already the subject of any other order suspending or revoking the person's driver's license, the court shall order the additional period of suspension or revocation, as appropriate, to apply consecutively with the previous order.

5. When the court issues an order suspending or revoking a driver's license or driving privileges, the court shall require the driver to surrender to the court his or her driver's license. The court shall forward to the director of revenue the order of suspension or revocation and any license surrendered within ten days.

577.526. Sections 577.520 to 577.526 do not preclude the suspension or revocation of the driver's license or driving privileges of the person pursuant to any other provision of law.

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Bill ✓

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