

FIRST REGULAR SESSION

SENATE BILL NO. 400

92ND GENERAL ASSEMBLY

INTRODUCED BY SENATORS BRAY, DOUGHERTY AND GOODE.

Read 1st time February 3, 2003, and 1,000 copies ordered printed.

TERRY L. SPIELER, Secretary.

1385S.021

AN ACT

To repeal section 300.330, RSMo, and to enact in lieu thereof four new sections relating to the operation of motor vehicles.

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

Section A. Section 300.330, RSMo, is repealed and four new sections enacted in lieu thereof, to be known as sections 300.330, 304.675, 304.677, and 537.038 to read as follows:

300.330. The driver of a **motor** vehicle shall not drive within any sidewalk area **or bicycle lane** except as a permanent or temporary driveway **or to reach curbside parking, nor shall a motor vehicle park in a bicycle lane.**

304.675. 1. The maximum speed limit within a school zone shall not exceed twenty miles per hour. Such speed limit shall be in force only during those times thirty minutes before, during, and thirty minutes after the periods of time when students are arriving at a regularly scheduled school session and leaving a regularly scheduled school session. As used in this section, the term "school zone" means school property on which a school building is located and the area adjacent to the school property that is designated by signs showing the posted limit.

2. Notwithstanding the provisions of sections 304.010, 304.120, and 304.130, and any other provision of law to the contrary, the governing body of a county or municipality may establish a speed limit within a school zone lower than twenty miles per hour if it finds, in conjunction with the school board, that a lower limit is needed to promote public safety. The governing body may establish such speed limit without the consent of the state highways and transportation commission.

304.677. Notwithstanding any other provisions of the law to the contrary, every

driver of a motor vehicle shall exercise due care to avoid colliding with any pedestrian, any person propelling a human powered vehicle, or any person operating a motorcycle, and shall give an audible signal when necessary, and shall exercise proper precaution upon observing any child or any obviously confused, incapacitated, or intoxicated person.

537.038. Any person operating a motor vehicle who intentionally, recklessly, or negligently collides with a pedestrian, cyclist, or motorcyclist and thereby causes personal injury to the pedestrian or cyclist shall be liable for liquidated compensatory damages of five hundred dollars or actual damages, whichever is greater, plus reasonable attorney's fees and court costs, unless the court determines that the motorist was not at fault. In cases where a motorist has been shown to intentionally, recklessly, or negligently collide with a bicyclist or pedestrian causing injury, and the motorist is shown to have six or more points on their driver's license, or have a prior conviction for an intoxication-related offense, as defined in section 577.023, RSMo, or have caused a prior injury to a bicyclist or pedestrian requiring hospitalization, that person's driver's license shall be revoked for a period of one year and the person shall be liable for liquidated compensatory damages of one thousand dollars or actual damages, whichever is greater, plus reasonable attorney's fees and court costs, unless the court determines that the motorist was not at fault.

Bill

Copy