

SENATE AMENDMENT NO. _____

Offered by _____ of _____

Amend _____ Bill No. _____, Page _____, Section _____, Line _____

2 by inserting immediately after said line the following:

3 "302.302. 1. The director of revenue shall put into effect
4 a point system for the suspension and revocation of licenses.

5 Points shall be assessed only after a conviction or forfeiture of
6 collateral. The initial point value is as follows:

- 7 (1) Any moving violation of a state
- 8 law or county or municipal or federal traffic
- 9 ordinance or regulation not listed in this
- 10 section, other than a violation of vehicle
- 11 equipment provisions or a court-ordered
- 12 supervision as provided in section
- 13 302.303..... 2 points
- 14 (except any violation of municipal stop sign
- 15 ordinance where no accident is
- 16 involved..... 1 point)

- 17 (2) Speeding
- 18 In violation of a state
- 19 law..... 3 points
- 20 In violation of a county or
- 21 municipal ordinance..... 2 points

22 (3) Leaving the scene of an accident

1	in violation of section	
2	577.060.....	12 points
3	In violation of any county or	
4	municipal ordinance.....	6 points
5	(4) Careless and imprudent driving in	
6	violation of subsection 4 of section	
7	304.016.....	4 points
8	In violation of a county or	
9	municipal ordinance.....	2 points
10	(5) Operating without a valid license	
11	in violation of subdivision (1) or (2) of	
12	subsection 1 of section 302.020:	
13	(a) For the first	
14	conviction.....	2 points
15	(b) For the second	
16	conviction.....	4 points
17	(c) For the third	
18	conviction.....	6 points
19	(6) Operating with a suspended or	
20	revoked license prior to restoration of	
21	operating privileges.....	12 points
22	(7) Obtaining a license by	
23	misrepresentation.....	12 points
24	(8) For the first conviction of	
25	driving while in an intoxicated condition	
26	or under the influence of controlled	
27	substances or	
28	drugs.....	8 points
29	(9) For the second or subsequent	

1 conviction of any of the following offenses
2 however combined: driving while in an
3 intoxicated condition, driving under the
4 influence of controlled substances or drugs
5 or driving with a blood alcohol content of
6 eight-hundredths of one percent or more by
7 weight..... 12 points

8 (10) For the first conviction for
9 driving with blood alcohol content
10 eight-hundredths of one percent or more by weight
11 In violation of state
12 law..... 8 points

13 In violation of a county or municipal
14 ordinance or federal law or
15 regulation..... 8 points

16 (11) Any felony involving the use
17 of a motor vehicle..... 12 points

18 (12) Knowingly permitting unlicensed
19 operator to operate a motor
20 vehicle..... 4 points

21 (13) For a conviction for failure to
22 maintain financial responsibility pursuant
23 to county or municipal ordinance or
24 pursuant to section
25 303.025..... 4 points

26 (14) Endangerment of a highway worker
27 in violation of section
28 304.585..... 4 points

29 (15) Aggravated endangerment of a

1 highway worker in violation of section
2 304.585..... 12 points

3 (16) For a conviction of violating a
4 municipal ordinance that prohibits tow
5 truck operators from stopping at or
6 proceeding to the scene of an accident
7 unless they have been requested to stop
8 or proceed to such scene by a party involved
9 in such accident or by an officer of a
10 public safety
11 agency..... 4 points

12 (17) Endangerment of an emergency
13 responder in violation of section 304.894
14 4 points

15 (18) Aggravated endangerment of
16 an emergency responder in violation of
17 section 304.894..... 12 points

18 2. The director shall, as provided in subdivision (5) of
19 subsection 1 of this section, assess an operator points for a
20 conviction pursuant to subdivision (1) or (2) of subsection 1 of
21 section 302.020, when the director issues such operator a license
22 or permit pursuant to the provisions of sections 302.010 to
23 302.340.

24 3. An additional two points shall be assessed when personal
25 injury or property damage results from any violation listed in
26 subdivisions (1) to (13) of subsection 1 of this section and if
27 found to be warranted and certified by the reporting court.

28 4. When any of the acts listed in subdivision (2), (3), (4)
29 or (8) of subsection 1 of this section constitutes both a

1 violation of a state law and a violation of a county or municipal
2 ordinance, points may be assessed for either violation but not
3 for both. Notwithstanding that an offense arising out of the
4 same occurrence could be construed to be a violation of
5 subdivisions (8), (9) and (10) of subsection 1 of this section,
6 no person shall be tried or convicted for more than one offense
7 pursuant to subdivisions (8), (9) and (10) of subsection 1 of
8 this section for offenses arising out of the same occurrence.

9 5. The director of revenue shall put into effect a system
10 for staying the assessment of points against an operator. The
11 system shall provide that the satisfactory completion of a
12 driver-improvement program or, in the case of violations
13 committed while operating a motorcycle, a motorcycle-rider
14 training course approved by the state highways and transportation
15 commission, by an operator, when so ordered and verified by any
16 court having jurisdiction over any law of this state or county or
17 municipal ordinance, regulating motor vehicles, other than a
18 violation committed in a commercial motor vehicle as defined in
19 section 302.700 or a violation committed by an individual who has
20 been issued a commercial driver's license or is required to
21 obtain a commercial driver's license in this state or any other
22 state, shall be accepted by the director in lieu of the
23 assessment of points for a violation pursuant to subdivision (1),
24 (2) or (4) of subsection 1 of this section or pursuant to
25 subsection 3 of this section. A court using a centralized
26 violation bureau established under section 476.385 may elect to
27 have the bureau order and verify completion of a
28 driver-improvement program or motorcycle-rider training course as
29 prescribed by order of the court. For the purposes of this

1 subsection, the driver-improvement program shall meet or exceed
2 the standards of the National Safety Council's eight-hour
3 "Defensive Driving Course" or, in the case of a violation which
4 occurred during the operation of a motorcycle, the program shall
5 meet the standards established by the state highways and
6 transportation commission pursuant to sections 302.133 to
7 302.137. The completion of a driver-improvement program or a
8 motorcycle-rider training course shall not be accepted in lieu of
9 points more than one time in any thirty-six-month period and
10 shall be completed within sixty days of the date of conviction in
11 order to be accepted in lieu of the assessment of points. Every
12 court having jurisdiction pursuant to the provisions of this
13 subsection shall, within fifteen days after completion of the
14 driver-improvement program or motorcycle-rider training course by
15 an operator, forward a record of the completion to the director,
16 all other provisions of the law to the contrary notwithstanding.
17 The director shall establish procedures for record keeping and
18 the administration of this subsection."; and

19 Further amend said bill, page _____, section _____,
20 line _____, by inserting immediately after all of said line the
21 following:

22 "304.890. As used in sections 304.890 to 304.894, the
23 following terms shall mean:

24 (1) "Active emergency", any incident occurring on a
25 highway, as the term "highway" is defined in section 302.010,
26 that requires emergency services from any emergency responder;

27 (2) "Active emergency zone", any area upon or around any
28 highway, which is visibly marked by emergency responders
29 performing work for the purpose of emergency response, and where

1 an active emergency, or incident removal, is temporarily
2 occurring. This area includes the lanes of highway leading up to
3 an active emergency or incident removal, beginning within three
4 hundred feet of visual sighting of:

5 (a) Appropriate signs or traffic control devices posted or
6 placed by emergency responders; or

7 (b) An emergency vehicle displaying active emergency lights
8 or signals;

9 (3) "Emergency responder", any law enforcement officer,
10 paid or volunteer firefighter, first responder, emergency medical
11 worker, tow truck operator, or other emergency personnel
12 responding to an emergency on a highway.

13 304.892. 1. Upon the first conviction, finding of guilt,
14 or plea of guilty by any person for a moving violation, as the
15 term "moving violation" is defined in section 302.010, or any
16 offense listed in section 302.302, other than a violation
17 described in subsection 2 of this section, when the violation or
18 offense occurs within an active emergency zone, the court shall
19 assess a fine of thirty-five dollars in addition to any other
20 fine authorized by law. Upon a second or subsequent conviction,
21 finding of guilt, or plea of guilty, the court shall assess a
22 fine of seventy-five dollars in addition to any other fine
23 authorized by law.

24 2. Upon the first conviction, finding of guilt, or plea of
25 guilty by any person for a speeding violation under either
26 section 304.009 or 304.010, or a passing violation under
27 subsection 3 of this section, when the violation or offense
28 occurs within an active emergency zone and emergency responders
29 were present in such zone at the time of the offense or

1 violation, the court shall assess a fine of two hundred fifty
2 dollars in addition to any other fine authorized by law. Upon a
3 second or subsequent conviction, finding of guilt, or plea of
4 guilty, the court shall assess a fine of three hundred dollars in
5 addition to any other fine authorized by law. However, no person
6 assessed an additional fine under this subsection shall also be
7 assessed an additional fine under subsection 1 of this section.

8 3. The driver of a motor vehicle shall not overtake or pass
9 another motor vehicle within an active emergency zone. Violation
10 of this subsection is a class C misdemeanor.

11 4. The additional fines imposed by this section shall not
12 be construed to enhance the assessment of court costs or the
13 assessment of points under section 302.302.

14 304.894. 1. A person commits the offense of endangerment
15 of an emergency responder for any of the following offenses when
16 the offense occurs within an active emergency zone:

17 (1) Exceeding the posted speed limit by fifteen miles per
18 hour or more;

19 (2) Passing in violation of subsection 3 of section
20 304.892;

21 (3) Failure to stop for an active emergency zone flagman or
22 emergency responder, or failure to obey traffic control devices
23 erected, or personnel posted, in the active emergency zone for
24 purposes of controlling the flow of motor vehicles through the
25 zone;

26 (4) Driving through or around an active emergency zone via
27 any lane not clearly designated for motorists to control the flow
28 of traffic through or around the active emergency zone;

29 (5) Physically assaulting, attempting to assault, or

1 threatening to assault an emergency responder with a motor
2 vehicle or other instrument; or

3 (6) Intentionally striking, moving, or altering barrels,
4 barriers, signs, or other devices erected to control the flow of
5 traffic to protect emergency responders and motorists unless the
6 action was necessary to avoid an obstacle, an emergency, or to
7 protect the health and safety of an occupant of the motor vehicle
8 or of another person.

9 2. Upon a finding of guilt or a plea of guilty for
10 committing the offense of endangerment of an emergency responder
11 under subsection 1 of this section, if no injury or death to an
12 emergency responder resulted from the offense, the court shall
13 assess a fine of not more than one thousand dollars, and four
14 points shall be assessed to the operator's license pursuant to
15 section 302.302 upon conviction.

16 3. A person commits the offense of aggravated endangerment
17 of an emergency responder upon a finding of guilt or a plea of
18 guilty for any offense under subsection 1 of this section when
19 such offense results in the injury or death of an emergency
20 responder. Upon a finding of guilt or a plea of guilty for
21 committing the offense of aggravated endangerment of an emergency
22 responder, in addition to any other penalty authorized by law,
23 the court shall assess a fine of not more than five thousand
24 dollars if the offense resulted in injury to an emergency
25 responder, and ten thousand dollars if the offense resulted in
26 the death of an emergency responder. In addition, twelve points
27 shall be assessed to the operator's license pursuant to section
28 302.302 upon conviction.

29 4. Except for the offense established under subdivision (6)

1 of subsection 1 of this section, no person shall be deemed to
2 have committed the offense of endangerment of an emergency
3 responder except when the act or omission constituting the
4 offense occurred when one or more emergency responders were
5 responding to an active emergency.

6 5. No person shall be cited for, or found guilty of,
7 endangerment of an emergency responder or aggravated endangerment
8 of an emergency responder, for any act or omission otherwise
9 constituting an offense under subsection 1 of this section, if
10 such act or omission resulted in whole or in part from mechanical
11 failure of the person's vehicle, or from the negligence of
12 another person or emergency responder."; and

13 Further amend the title and enacting clause accordingly.
14