

SENATE AMENDMENT NO. _____

Offered by _____ of _____

Amend SS/SCS/Senate Bill No. 590, Page 41, Section 301.559, Line 18,

2 by inserting immediately after said line the following:

3 "304.351. 1. The driver of a vehicle approaching an
4 intersection shall yield the right-of-way to a vehicle which has
5 entered the intersection from a different highway, provided,
6 however, there is no form of traffic control at such
7 intersection.

8 2. When two vehicles enter an intersection from different
9 highways at approximately the same time, the driver of the
10 vehicle on the left shall yield the right-of-way to the driver of
11 the vehicle on the right. This subsection shall not apply to
12 vehicles approaching each other from opposite directions when the
13 driver of one of such vehicles is attempting to or is making a
14 left turn.

15 3. The driver of a vehicle within an intersection intending
16 to turn to the left shall yield the right-of-way to any vehicle
17 approaching from the opposite direction which is within the
18 intersection or so close thereto as to constitute an immediate
19 hazard.

20 4. (1) The state highways and transportation commission
21 with reference to state highways and local authorities with

1 reference to other highways under their jurisdiction may
2 designate through highways and erect stop signs or yield signs at
3 specified entrances thereto, or may designate any intersection as
4 a stop intersection or as a yield intersection and erect stop
5 signs or yield signs at one or more entrances to such
6 intersection.

7 (2) Preferential right-of-way at an intersection may be
8 indicated by stop signs or yield signs as authorized in this
9 section:

10 (a) Except when directed to proceed by a police officer or
11 traffic-control signal, every driver of a vehicle approaching a
12 stop intersection, indicated by a stop sign, shall stop at a
13 clearly marked stop line, but if none, before entering the
14 crosswalk on the near side of the intersection, or if none, then
15 at the point nearest the intersecting roadway where the driver
16 has a view of approaching traffic in the intersecting roadway
17 before entering the intersection. After having stopped, the
18 driver shall yield the right-of-way to any vehicle which has
19 entered the intersection from another highway or which is
20 approaching so closely on the highway as to constitute an
21 immediate hazard during the time when such driver is moving
22 across or within the intersection.

23 (b) The driver of a vehicle approaching a yield sign shall
24 in obedience to the sign slow down to a speed reasonable to the
25 existing conditions and, if required for safety to stop, shall
26 stop at a clearly marked stop line, but if none, then at the
27 point nearest the intersecting roadway where the driver has a
28 view of approaching traffic on the intersecting roadway. After
29 slowing or stopping the driver shall yield the right-of-way to

1 any vehicle in the intersection or approaching on another highway
2 so closely as to constitute an immediate hazard during the time
3 such traffic is moving across or within the intersection.

4 5. The driver of a vehicle about to enter or cross a
5 highway from an alley, building or any private road or driveway
6 shall yield the right-of-way to all vehicles approaching on the
7 highway to be entered.

8 6. The driver of a vehicle intending to make a left turn
9 into an alley, private road or driveway shall yield the
10 right-of-way to any vehicle approaching from the opposite
11 direction when the making of such left turn would create a
12 traffic hazard.

13 7. The state highways and transportation commission or
14 local authorities with respect to roads under their respective
15 jurisdictions, on any section where construction or major
16 maintenance operations are being effected, may fix a speed limit
17 in such areas by posting of appropriate signs, and the operation
18 of a motor vehicle in excess of such speed limit in the area so
19 posted shall be deemed prima facie evidence of careless and
20 imprudent driving and a violation of section 304.010.

21 8. Notwithstanding the provisions of section 304.361,
22 violation of this section shall be deemed a class C misdemeanor.

23 9. In addition to the penalty specified in subsection 8 of
24 this section, any person who pleads guilty to or is found guilty
25 of a violation of this section in which the offender is found to
26 have caused physical injury, there shall be assessed a penalty of
27 up to ~~two hundred~~ five hundred dollars, but no less than two
28 hundred dollars. The court may issue an order of suspension of
29 such person's driving privilege for a period of thirty days.

1 10. In addition to the penalty specified in subsection 8 of
2 this section, any person who pleads guilty to or is found guilty
3 of a violation of this section in which the offender is found to
4 have caused serious physical injury, there shall be assessed a
5 penalty of up to [~~five hundred~~] one thousand five hundred
6 dollars, but no less two hundred fifty dollars. The court may
7 issue an order of suspension of such person's driving privilege
8 for a period of ninety days.

9 11. In addition to the penalty specified in subsection 8 of
10 this section, any person who pleads guilty to or is found guilty
11 of a violation of this section in which the offender is found to
12 have caused a fatality, there shall be assessed a penalty of up
13 to [~~one~~] five thousand dollars, but no less than one thousand
14 dollars. The court may issue an order of suspension of such
15 person's driving privilege for a period of six months. Such
16 person shall also be required to participate in and successfully
17 complete a driver-improvement program approved by the director of
18 the department of revenue.

19 12. As used in subsections 9 and 10 of this section, the
20 terms "physical injury" and "serious physical injury" shall have
21 the meanings ascribed to them in section 556.061.

22 13. For any court-ordered suspension under subsection 9,
23 10, or 11 of this section, the director of the department shall
24 impose such suspension as set forth in the court order. The
25 order of suspension shall include the name of the offender, the
26 offender's driver's license number, Social Security number, and
27 the effective date of the suspension. Any appeal of a suspension
28 imposed under subsection 9, 10, or 11 of this section shall be a
29 direct appeal of the court order and subject to review by the

1 presiding judge of the circuit court or another judge within the
2 circuit other than the judge who issued the original order to
3 suspend the driver's license. The director of revenue's entry of
4 the court-ordered suspension on the driving record is not a
5 decision subject to review under section 302.311. Any suspension
6 of the driver's license ordered by the court under this section
7 shall be in addition to any other suspension that may occur as a
8 result of the conviction under other provisions of law."; and

9 Further amend the title and enacting clause accordingly.