

SECOND REGULAR SESSION

SENATE BILL NO. 1079

93RD GENERAL ASSEMBLY

INTRODUCED BY SENATOR COLEMAN.

Read 1st time February 20, 2006, and ordered printed.

TERRY L. SPIELER, Secretary.

5210S.011

AN ACT

To repeal section 304.070, RSMo, and to enact in lieu thereof one new section relating to enhancing penalties for motorists who fail to properly yield for school buses that are loading and unloading children, with penalty provisions.

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

Section A. Section 304.070, RSMo, is repealed and one new section
2 enacted in lieu thereof, to be known as section 304.070, to read as follows:

304.070. 1. Any person who violates any of the provisions of subsections
2 1, 3, and 6 of section 304.050 is guilty of a class A misdemeanor. In addition,
3 beginning July 1, 2005, the court may suspend the driver's license of any person
4 who violates the provision of subsection 1 of section 304.050. If ordered by the
5 court, the director shall suspend the driver's license for ninety days for a first
6 offense of subsection 1 of section 304.050, and one hundred twenty days for a
7 second or subsequent offense of subsection 1 of section 304.050. **Any person**
8 **who violates subsection 1 of section 304.050 where such violation results**
9 **in the injury of any child shall be guilty of a class D felony. Any person**
10 **who violates subsection 1 of section 304.050 where such violation causes**
11 **the death of any child shall be guilty of a class C felony.**

12 2. Any appeal of a suspension imposed under subsection 1 of this section
13 shall be a direct appeal of the court order and subject to review by the presiding
14 judge of the circuit court or another judge within the circuit other than the judge
15 who issued the original order to suspend the driver's license. The director of
16 revenue's entry of the court-ordered suspension on the driving record is not a
17 decision subject to review pursuant to section 302.311, RSMo. Any suspension of
18 the driver's license ordered by the court under this section shall be in addition to
19 any other suspension that may occur as a result of the conviction pursuant to

20 other provisions of law.

✓

Unofficial

Bill

Copy