

HB 302 -- FAILURE TO YIELD THE RIGHT-OF-WAY

SPONSOR: Hicks

COMMITTEE ACTION: Voted "Do Pass" by the Standing Committee on Civil and Criminal Proceedings by a vote of 8 to 4.

This bill increases the penalty that must be assessed for any person who pleads guilty to or is found guilty of the offense of failing to yield the right-of-way in which the person is found to have caused physical injury from up to \$200 to at least \$500 but not more than \$1,000.

If serious physical injury is caused, the penalty is changed from up to \$500 to at least \$1,000 but not more than \$3,000, and the court must order the suspension of the person's driving privilege for 90 days. Currently, the court may order the suspension.

If the violation caused a fatality, the penalty is increased from up to \$1,000 to at least \$5,000 but not more than \$10,000. Currently, the court may order the suspension of the person's driving privilege for six months. The bill requires the court to order the suspension of the person's driving privilege for at least six months but not more than one year, and the individual must be required to participate in and successfully complete a driver-improvement program approved by the Director of the Department of Revenue.

PROPOSERS: Supporters say that drivers who fail to yield the right-of-way are a public safety concern and need to be prosecuted more vigorously with more severe penalties. The motorcyclist community is particularly at risk to inattentive drivers failing to yield the right-of-way.

Testifying for the bill were Representative Hicks; Rev. Terry Lee Cook; Kris Critter; Cameron Fast; William Kempker; Layne Shady; Misty Shady; Tony Shepherd; and Dale Thomas.

OPPOSERS: There was no opposition voiced to the committee.