

FIRST REGULAR SESSION

HOUSE BILL NO. 526

101ST GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE HAFFNER.

0464H.021

DANA RADEMAN MILLER, Chief Clerk

AN ACT

To repeal section 302.341, RSMo, and to enact in lieu thereof one new section relating to traffic violations.

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

Section A. Section 302.341, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 302.341, to read as follows:

302.341. 1. If a Missouri resident charged with a moving traffic violation of this state or any county or municipality of this state fails to dispose of the charges of which the resident is accused through authorized prepayment of fine and court costs and fails to appear on the return date or at any subsequent date to which the case has been continued, or without good cause fails to pay any fine or court costs assessed against the resident for any such violation within the period of time specified or in such installments as approved by the court or as otherwise provided by law, any court having jurisdiction over the charges shall within ten days of the failure to comply inform the defendant by ordinary mail at the last address shown on the court records that the court ~~[will]~~ **may** order the director of revenue to suspend the defendant's driving privileges if the charges are not disposed of and fully paid within thirty days from the date of mailing. Thereafter, if the defendant fails to timely act to dispose of the charges and fully pay any applicable fines and court costs, the court ~~[shall]~~ **may** notify the director of revenue of such failure and of the pending charges against the defendant. Upon receipt of this notification, the director shall suspend the license of the driver, effective immediately, and provide notice of the suspension to the driver at the last address for the driver shown on the records of the department of revenue. Such suspension shall remain in effect until the court with the subject pending charge requests setting aside the noncompliance suspension pending final disposition, or

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

18 satisfactory evidence of disposition of pending charges and payment of fine and court costs, if
19 applicable, is furnished to the director by the individual. The filing of financial responsibility
20 with the ~~[bureau of safety responsibility,]~~ department of revenue~~;~~ shall not be required as a
21 condition of reinstatement of a driver's license suspended solely under the provisions of this
22 ~~[section]~~ subsection.

23 2. The provisions of subsection 1 of this section shall not apply to minor traffic
24 violations as defined in section 479.350; **however, minor traffic violations shall be subject**
25 **to subsection 3 of this section.**

26 3. **If a Missouri resident charged with a minor traffic violation of this state or any**
27 **county or municipality of this state fails to dispose of the charges of which the resident is**
28 **accused through authorized prepayment of fine and court costs and fails to appear on two**
29 **return dates, or without good cause fails to pay any fine or court costs assessed against the**
30 **resident for any such violation within the period of time specified or in such installments**
31 **as approved by the court or as otherwise provided by law, any court having jurisdiction**
32 **over the charges shall, within ten days of the failure to comply, inform the defendant by**
33 **ordinary mail at the last address shown on the court records that the court may order the**
34 **director of revenue to suspend the defendant's driving privileges if the charges are not**
35 **disposed of and fully paid within thirty days from the date of mailing. Thereafter, if the**
36 **defendant fails to timely act to dispose of the charges and fully pay any applicable fines and**
37 **court costs, the court may notify the director of revenue of such failure and of the pending**
38 **charges against the defendant. Upon receipt of this notification, the director shall suspend**
39 **the license of the driver, effective immediately, and provide notice of the suspension to the**
40 **driver at the last address for the driver shown on the records of the department of revenue.**
41 **Such suspension shall remain in effect until the court with the subject pending charge**
42 **requests setting aside the noncompliance suspension pending final disposition, or**
43 **satisfactory evidence of disposition of pending charges and payment of fine and court costs,**
44 **if applicable, is furnished to the director by the individual. The filing of financial**
45 **responsibility with the department of revenue shall not be required as a condition of**
46 **reinstatement of a driver's license suspended solely under the provisions of this subsection.**

47 4. **Where a defendant is charged exclusively with minor traffic violations, as such**
48 **term is defined in section 479.350, any suspension under this section shall be accompanied**
49 **by issuance from the director of revenue of limited driving privileges for all purposes**
50 **identified under subdivision (2) of subsection 3 of section 302.309, unless the director finds**
51 **the defendant is ineligible for such privileges under the provisions of section 302.309.**

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