SENATE BILL NO. 32

101ST GENERAL ASSEMBLY

INTRODUCED BY SENATOR CIERPIOT.

AN ACT

To amend chapter 302, RSMo, by adding thereto one new section relating to the operation of commercial motor vehicles, with penalty provisions.

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

Section A. Chapter 302, RSMo, is amended by adding thereto
2 one new section, to be known as section 302.785, to read as
3 follows:

302.785. 1. As used in this section, terms shall have
2 the same meanings as ascribed to them in sections 302.700 to
3 302.780.

4   2. No commercial motor vehicle shall operate in this
5 state unless operated or occupied by a natural person
6 holding the proper class of license or applicable
7 endorsements valid for the type of vehicle being operated,
8 or a commercial driver's instruction permit, or a receipt
9 which indicates the driver is qualified to drive a
10 commercial motor vehicle.

11   3. The owner of a commercial motor vehicle operated in
12 violation of this section shall be guilty of a class A
13 misdemeanor. Any owner who provides proof to the court
14 which has jurisdiction over the issued citation by the date
15 the owner must appear in court or pay any fine for such a
16 violation that a natural person present in the commercial
17 motor vehicle held a valid commercial driver's license at
18 the time the citation was issued shall not be guilty of this

19   offense. No court shall suspend the imposition of sentence

20   as to such person nor sentence such person to a fine in lieu

21   of a term of imprisonment, nor shall such person be eligible

22   for parole or probation until he or she has served a minimum

23   of forty-eight consecutive hours of imprisonment, unless as

24   a condition of such parole or probation, such person

25   performs at least ten days involving at least forty hours of

26   community service under the supervision of the court in

27   those jurisdictions which have a recognized program for

28   community service.

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