

SECOND REGULAR SESSION

SENATE BILL NO. 837

95TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR RUPP.

Read 1st time January 27, 2010, and ordered printed.

TERRY L. SPIELER, Secretary.

4704S.011

AN ACT

To repeal sections 302.220 and 302.230, RSMo, and to enact in lieu thereof three new sections relating to fraudulent transactions involving motor vehicle documents, with penalty provisions.

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

Section A. Sections 302.220 and 302.230, RSMo, are repealed and three
2 new sections enacted in lieu thereof, to be known as sections 301.423, 302.220,
3 and 302.230, to read as follows:

**301.423. If the director of revenue or his or her designated
2 representative reasonably believes that a certificate of ownership, a
3 license plate, or a license plate tab was obtained fraudulently, any
4 person in possession of said item shall surrender same to the director
5 of revenue or his or her designated representative upon request. Any
6 person failing to do so shall be deemed guilty of a class A misdemeanor.**

302.220. It shall be unlawful for any person to display or to permit to be
2 displayed, or to have in his possession, any license **or nondriver identification**
3 **card** knowing the same to be fictitious or to have been canceled, suspended,
4 revoked, disqualified or altered; to lend to or knowingly permit the use of by
5 another any license **or nondriver identification card** issued to the person so
6 lending or permitting the use thereof; to display or to represent as one's own any
7 license **or nondriver identification card** not issued to the person so
8 displaying the same, or fail or refuse to surrender to the clerk of any division of
9 the circuit court or the director **or his or her designee**, any license **or**
10 **nondriver identification card** which has been suspended, canceled,
11 disqualified or revoked, as provided by law **or that the director or his or her**
12 **designee has reasonable suspicion to believe is fictitious**; to use a false

13 or fictitious name or give a false or fictitious address on any application for a
14 license **or nondriver identification card**, or any renewal or duplicate thereof,
15 or knowingly to make a false statement, or knowingly to conceal a material fact,
16 or otherwise commit a fraud in any such application; to authorize or consent to
17 any motor vehicle owned by him or under his control to be driven by any person,
18 when he has knowledge that such person has no legal right to do so, or for any
19 person to drive any motor vehicle in violation of any of the provisions of sections
20 302.010 to 302.780; to employ a person to operate a motor vehicle in the
21 transportation of persons or property, with knowledge that such person has not
22 complied with the provisions of sections 302.010 to 302.780, or whose license has
23 been revoked, suspended, canceled or disqualified; or who fails to produce his or
24 her license upon demand of any person or persons authorized to make such
25 demand.

302.230. Any person who makes a false unsworn statement or affidavit or
2 knowingly swears or affirms falsely as to any matter or thing required by sections
3 302.010 to 302.540 shall be deemed guilty of a class A misdemeanor. No person
4 who pleads guilty or nolo contendere, or is found guilty of making a false
5 statement or affidavit shall be licensed to operate a motor vehicle for a period of
6 one year after such plea, finding or conviction. **Notwithstanding any other**
7 **provision of law, a prosecution under this section may be commenced**
8 **within one year after the director first discovers the falsity of any**
9 **statement or affidavit required under sections 302.010 to 302.540,**
10 **provided that no prosecution shall commence more than six years after**
11 **such statement or affidavit was made.**

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