

HOUSE BILL NO. 2256

98TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE JONES.

5737H.011

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To repeal section 302.302, RSMo, and to enact in lieu thereof one new section relating to points assessed against a driving record, with penalty provisions.

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

2 Section A. Section 302.302, RSMo, is repealed and one new section enacted in lieu
2 thereof, to be known as section 302.302, to read as follows:

2 302.302. 1. The director of revenue shall put into effect a point system for the
2 suspension and revocation of licenses. Points shall be assessed only after a conviction or
3 forfeiture of collateral. The initial point value is as follows:

- 4 (1) Any moving violation of a state law or county or municipal or
5 federal traffic ordinance or regulation not listed in this section,
6 other than a violation of vehicle equipment provisions or a
7 court-ordered supervision as provided in section 302.303..... 2 points
8 (except any violation of municipal stop sign ordinance where no
9 accident is involved. 1 point)
- 10 (2) Speeding
11 In violation of a state law. 3 points
12 In violation of a county or municipal ordinance. 2 points
- 13 (3) Leaving the scene of an accident in violation of section 577.060. 12 points
14 In violation of any county or municipal ordinance..... 6 points
- 15 (4) Careless and imprudent driving in violation of subsection 4 of
16 section 304.016..... 4 points
17 In violation of a county or municipal ordinance. 2 points

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 (5) Operating without a valid license in violation of subdivision (1)
19 or (2) of subsection 1 of section 302.020:
 - 20 (a) For the first conviction. 2 points
 - 21 (b) For the second conviction. 4 points
 - 22 (c) For the third conviction. 6 points
- 23 (6) Operating with a suspended or revoked license prior to restoration
24 of operating privileges. 12 points
- 25 (7) Obtaining a license by misrepresentation. 12 points
- 26 (8) For the first conviction of driving while in an intoxicated
27 condition or under the influence of controlled substances or drugs
28 8 points
- 29 (9) For the second or subsequent conviction of any of the following
30 offenses however combined: driving while in an intoxicated
31 condition, driving under the influence of controlled substances or
32 drugs or driving with a blood alcohol content of eight-hundredths
33 of one percent or more by weight. 12 points
- 34 (10) For the first conviction for driving with blood alcohol content
35 eight-hundredths of one percent or more by weight
36 In violation of state law. 8 points
37 In violation of a county or municipal ordinance or federal law or
38 regulation. 8 points
- 39 (11) Any felony involving the use of a motor vehicle. 12 points
- 40 (12) Knowingly permitting unlicensed operator to operate a motor
41 vehicle. 4 points
- 42 (13) For a conviction for failure to maintain financial responsibility
43 pursuant to county or municipal ordinance or pursuant to section
44 303.025. 4 points
- 45 (14) Endangerment of a highway worker in violation of section 304.585. 4 points
- 46 (15) Aggravated endangerment of a highway worker in violation of
47 section 304.585. 12 points
- 48 (16) For a conviction of violating a municipal ordinance that prohibits
49 tow truck operators from stopping at or proceeding to the scene
50 of an accident unless they have been requested to stop or proceed
51 to such scene by a party involved in such accident or by an officer
52 of a public safety agency. 4 points

53 (17) Endangerment of an emergency responder in violation of section
54 304.894..... 4 points

55 (18) Aggravated endangerment of an emergency responder in violation
56 of section 304.894..... 12 points

57 2. The director shall, as provided in subdivision (5) of subsection 1 of this section, assess
58 an operator points for a conviction pursuant to subdivision (1) or (2) of subsection 1 of section
59 302.020, when the director issues such operator a license or permit pursuant to the provisions
60 of sections 302.010 to 302.340.

61 3. An additional two points shall be assessed when personal injury or property damage
62 results from any violation listed in subdivisions (1) to (13) of subsection 1 of this section and if
63 found to be warranted and certified by the reporting court.

64 4. When any of the acts listed in subdivision (2), (3), (4) or (8) of subsection 1 of this
65 section constitutes both a violation of a state law and a violation of a county or municipal
66 ordinance, points may be assessed for either violation but not for both. Notwithstanding that an
67 offense arising out of the same occurrence could be construed to be a violation of subdivisions
68 (8), (9) and (10) of subsection 1 of this section, no person shall be tried or convicted for more
69 than one offense pursuant to subdivisions (8), (9) and (10) of subsection 1 of this section for
70 offenses arising out of the same occurrence.

71 5. The director of revenue shall put into effect a system for staying the assessment of
72 points against an operator. The system shall provide that the satisfactory completion of a
73 driver-improvement program or, in the case of violations committed while operating a
74 motorcycle, a motorcycle-rider training course approved by the state highways and transportation
75 commission, by an operator, when so ordered and verified by any court having jurisdiction over
76 any law of this state or county or municipal ordinance, regulating motor vehicles, other than a
77 violation committed in a commercial motor vehicle as defined in section 302.700 or a violation
78 committed by an individual who has been issued a commercial driver's license or is required to
79 obtain a commercial driver's license in this state or any other state, shall be accepted by the
80 director in lieu of the assessment of points for a violation pursuant to subdivision (1), (2) or (4)
81 of subsection 1 of this section or pursuant to subsection 3 of this section. The operator shall be
82 given the option to complete the driver-improvement program through an online or in-person
83 course. A court using a centralized violation bureau established under section 476.385 may elect
84 to have the bureau order and verify completion of a driver-improvement program or
85 motorcycle-rider training course as prescribed by order of the court. For the purposes of this
86 subsection, the driver-improvement program shall meet or exceed the standards of the National
87 Safety Council's eight-hour "Defensive Driving Course" or, in the case of a violation which
88 occurred during the operation of a motorcycle, the program shall meet the standards established

89 by the state highways and transportation commission pursuant to sections 302.133 to 302.137.
90 The completion of a driver-improvement program or a motorcycle-rider training course shall not
91 be accepted in lieu of points more than one time in any thirty-six-month period and shall be
92 completed within sixty days of the date of conviction in order to be accepted in lieu of the
93 assessment of points. Every court having jurisdiction pursuant to the provisions of this
94 subsection shall, within fifteen days after completion of the driver-improvement program or
95 motorcycle-rider training course by an operator, forward a record of the completion to the
96 director, all other provisions of the law to the contrary notwithstanding. The director shall
97 establish procedures for record keeping and the administration of this subsection.

98 **6. If a person who is a resident of this state obtains a traffic ticket in another state**
99 **for a motor vehicle violation and such state does not have a point system identical to the**
100 **point system provided for in this section, no points shall be assessed against such person's**
101 **driving record by the Missouri department of revenue.**

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