

SECOND REGULAR SESSION

HOUSE BILL NO. 2105

91ST GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVES MONACO, BONNER AND CLAYTON (Co-sponsors).

Read 1st time March 5, 2002, and 1000 copies ordered printed.

TED WEDEL, Chief Clerk

4995L.011

AN ACT

To repeal section 302.302, RSMo, and to enact in lieu thereof one new section relating to drivers' licenses.

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

Section A. Section 302.302, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 302.302, to read as follows:

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

(1) Any moving violation of a state law or county or municipal or federal traffic ordinance or regulation not listed in this section, other than a violation of vehicle equipment provisions or a court-ordered supervision as provided in section 302.303 2 points
(except any violation of municipal stop sign ordinance where no accident is involved 1 point)

(2) Speeding
In violation of a state law 3 points
In violation of a county or municipal ordinance 2 points

(3) Leaving the scene of an accident in violation of section 577.060, RSMo 12 points
In violation of any county or municipal ordinance 6 points

(4) Careless and imprudent driving in violation of subsection 4 of section 304.016,

EXPLANATION — Matter enclosed in bold faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.

17	RSMo	4 points
18	In violation of a county or municipal ordinance	2 points
19	(5) Operating without a valid license in violation of subdivision (1) or (2) of subsection	
20	1 of section 302.020:	
21	(a) For the first conviction	2 points
22	(b) For the second conviction	4 points
23	(c) For the third conviction	6 points
24	(6) Operating with a suspended or revoked license prior to restoration	
25	of operating privileges	12 points
26	(7) Obtaining a license by misrepresentation	12 points
27	(8) For the first conviction of driving while in an intoxicated condition	
28	or under the influence of controlled substances or drugs	8 points
29	(9) For the second or subsequent conviction of any of the following offenses however	
30	combined: driving while in an intoxicated condition, driving under the influence of controlled	
31	substances or drugs or driving with a blood alcohol content of eight-hundredths of one percent	
32	or more by weight	12 points
33	(10) For the first conviction for driving with blood alcohol content eight-hundredths of	
34	one percent or more by weight In violation of state law	8 points
35	In violation of a county or municipal ordinance or federal	
36	law or regulation	8 points
37	(11) Any felony involving the use of a motor	
38	vehicle	12 points
39	(12) Knowingly permitting unlicensed operator to	
40	operate a motor vehicle	4 points
41	(13) For a conviction for failure to maintain financial responsibility pursuant to county	
42	or municipal ordinance or pursuant to section 303.025, RSMo	4 points
43	2. The director shall, as provided in subdivision (5) of subsection 1 of this section, assess	
44	an operator points [for a] at the time of conviction pursuant to subdivision (1) or (2) of	
45	subsection 1 of section 302.020, when the director issues such operator a license or permit	
46	pursuant to the provisions of sections 302.010 to 302.340.	
47	3. An additional two points shall be assessed when personal injury or property damage	
48	results from any violation listed in subsection 1 of this section and if found to be warranted and	
49	certified by the reporting court.	
50	4. When any of the acts listed in subdivision (2), (3), (4) or (8) of subsection 1 of this	
51	section constitutes both a violation of a state law and a violation of a county or municipal	
52	ordinance, points may be assessed for either violation but not for both. Notwithstanding that an	

53 offense arising out of the same occurrence could be construed to be a violation of subdivisions
54 (8), (9) and (10) of subsection 1 of this section, no person shall be tried or convicted for more
55 than one offense pursuant to subdivisions (8), (9) and (10) of subsection 1 of this section for
56 offenses arising out of the same occurrence.

57 5. The director of revenue shall put into effect a system for staying the assessment of
58 points against an operator. The system shall provide that the satisfactory completion of a
59 driver-improvement program or, in the case of violations committed while operating a
60 motorcycle, a motorcycle-rider training course approved by the director of the department of
61 public safety, by an operator, when so ordered and verified by any court having jurisdiction over
62 any law of this state or county or municipal ordinance, regulating motor vehicles, other than a
63 violation committed in a commercial motor vehicle as defined in section 302.700, shall be
64 accepted by the director in lieu of the assessment of points for a violation pursuant to subdivision
65 (1), (2) or (4) of subsection 1 of this section or pursuant to subsection 3 of this section. For the
66 purposes of this subsection, the driver-improvement program shall meet or exceed the standards
67 of the National Safety Council's eight-hour "Defensive Driving Course" or, in the case of a
68 violation which occurred during the operation of a motorcycle, the program shall meet the
69 standards established by the director of the department of public safety pursuant to sections
70 302.133 to 302.138. The completion of a driver-improvement program or a motorcycle-rider
71 training course shall not be accepted in lieu of points more than one time in any thirty-six-month
72 period and shall be completed within sixty days of the date of conviction in order to be accepted
73 in lieu of the assessment of points. Every court having jurisdiction pursuant to the provisions
74 of this subsection shall, within fifteen days after completion of the driver-improvement program
75 or motorcycle-rider training course by an operator, forward a record of the completion to the
76 director, all other provisions of the law to the contrary notwithstanding. The director shall
77 establish procedures for record keeping and the administration of this subsection.