

SECOND REGULAR SESSION

# HOUSE BILL NO. 1329

## 92ND GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVES WILSON (130) (Sponsor), RUESTMAN, RICHARD,  
STEVENSON, KELLY (144), HUNTER, HOBBS, NIEVES, RUPP,  
SMITH (118) AND JACKSON (Co-sponsors).

Read 1<sup>st</sup> time January 29, 2004, and copies ordered printed.

STEPHEN S. DAVIS, Chief Clerk

2525L.011

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### AN ACT

To amend chapter 577, RSMo, by adding thereto one new section relating to impounding vehicles.

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

Section A. Chapter 577, RSMo, is amended by adding thereto one new section, to be  
2 known as section 577.015, to read as follows:

3 **577.015. 1. Except as provided in subsection 2 of this section, in addition to any**  
4 **other penalty which may be imposed upon a person convicted of a violation of section**  
5 **577.010 or 577.012, the court may order that the convicted person's motor vehicle or**  
6 **vehicles be impounded or immobilized for a period of one year and that the convicted**  
7 **person pay all towing, impoundment, and storage fees or other immobilization costs.**

8 **2. The court shall not order the impoundment or immobilization of a motor vehicle**  
9 **driven by a person convicted of a violation of this section if the motor vehicle had been**  
10 **stolen or converted at the time it was driven in violation of section 577.010 or 577.012.**

11 **3. Prior to ordering the impoundment or immobilization of a motor vehicle or**  
12 **vehicles owned by a person convicted of a violation of this section, the court shall consider,**  
13 **but not be limited to, the following:**

14 **(1) Whether the impoundment or immobilization of the motor vehicle would result**  
15 **in the loss of employment by the convicted person or a member of such person's family;**  
16 **and**

17 **(2) Whether the ability of the convicted person or a member of the convicted**  
18 **person's family to attend school or obtain medical care would be impaired.**

19 **4. Any personal property in a vehicle impounded pursuant to this subsection may**

18 be retrieved prior to or during the period of such impoundment or immobilization.

19           **5. If the owner of a motor vehicle which has been impounded pursuant to this**  
20 **section refuses to pay any towing, impoundment, storage, or other fees relating to the**  
21 **impoundment or immobilization of such vehicle or fails to take possession of such vehicle**  
22 **within thirty days following the date of the expiration of the impoundment period, such**  
23 **vehicle shall be deemed abandoned and the vehicle may be disposed of by the person**  
24 **having possession of such vehicle pursuant to the provisions of chapter 304, RSMo.**

25           **6. As used in this section, the convicted person's motor vehicle or vehicles shall**  
26 **include any vehicle leased by such person. If the lease on the convicted person's motor**  
27 **vehicle subject to impoundment or immobilization expires in less than one year from the**  
28 **date of the impoundment or immobilization, the time of impoundment or immobilization**  
29 **of such vehicle shall be the amount of time remaining on the lease.**