

HB 415 -- TRAFFIC-RELATED OFFENSES

SPONSOR: Gray

This bill specifies that if the court finds that a defendant is indigent or is without sufficient disposable income to pay restitution, court costs, fees, expenses, or fines in whole or in installments over a one-year period, upon motion of the defendant, the court must consider sentencing the defendant to perform community service under conditions as may be established by the court in lieu of paying restitution, court costs, fees, expenses, or fines for all traffic offenses deemed infractions or class D misdemeanors of any ordinance or political subdivision of this state.

If a person is not indigent, the court of jurisdiction may offer community service in lieu of a fine for such an offense. However, the defendant must be responsible for paying all court costs, fees, and expenses. Once a defendant is sentenced to perform community service in lieu of paying a fine under these provisions, he or she will be ineligible for a community service sentence for future traffic offenses within the same jurisdiction within the 12-month period following the date of the offense for which community service was ordered (Section 304.825, RSMo).

This bill specifies that an individual must not be assessed any additional penalty and an arrest warrant must not be issued if the individual fails to appear in municipal court for any traffic or ordinance violation if the failure to appear occurs once in a 12-month period in the same jurisdiction following the date of the traffic or ordinance violation. If the individual fails to appear two or more times in a 12-month period for a traffic ordinance violation, the municipal court may assess additional penalties, but is prohibited from issuing an arrest warrant. The court may use a collection agency to collect any money owed by the individual (Section 479.012).

This bill is the same as HB 1982 (2018).