

HCS HB 294 -- TRAFFIC OFFENSES

SPONSOR: Roberts

COMMITTEE ACTION: Voted "Do Pass with HCS" by the Special Committee on Criminal Justice by a vote of 9 to 2.

The following is a summary of the House Committee Substitute for HB 294.

This bill repeals certain provisions that authorize arrest warrants for failure to respond, pay the assessed fine, or appear in court with respect to a traffic citation issued for an infraction under Chapter 304, RSMo, and instead authorizes a court to issue a notice of failure to respond, pay the assessed fine, or appear. No driver's license or driver's license renewal shall be issued if the applicant has delinquent fines and fees in connection with a first traffic offense that have not been satisfied. For a second or subsequent traffic offense for which the defendant failed to respond, pay assessed fines, or appear in court, the defendant's license will be suspended until the defendant satisfies the fines and fees or appears in court.

The bill also lowers the penalty for certain traffic offenses as specified in the bill.

This bill is similar as HB 1546 (2020).

The following is a summary of the public testimony from the committee hearing. The testimony was based on the introduced version of the bill.

PROPOSERS: Supporters say that there are certain offenses in the traffic code that should remain criminal, but there are others that should be infractions. There are offenses that are currently criminal just because we say they are. This would not allow someone to renew his or her license until all fines and fees for these infractions are paid. This would not be a suspension of a license. While some people might drive without a license (not paying the fees and not getting license renewed), responsible, law abiding citizens will pay because they do not want to drive without a license. It will be a rare occurrence for someone to get an infraction the first year of a 6-year license renewal and not pay his or her fines. Even if that is true, they will be held accountable when it comes time to renew. These people could have points assessed after the fact if they don't pay their fines. Until their license expires, there is no incentive to go to court immediately and pay the fines. One big issue is that every custodial arrest or stop brings with it the opportunity for

resistance, and with that comes a greater opportunity for something to happen, like injury or death. It would make it worse to suspend a license immediately because then people will have no way of driving to work to pay off the fines.

Testifying for the bill were Representative Roberts; American Civil Liberties Union of Missouri; Arnie Dienoff.

OPPONENTS: There was no opposition voiced to the committee.

Written testimony has been submitted for this bill. The full written testimony can be found under Testimony on the bill page on the House website.