

FIRST REGULAR SESSION

# HOUSE BILL NO. 158

## 91ST GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVE ROSS.

Pre-filed December 14, 2000, and 1000 copies ordered printed.

ANNE C. WALKER, Chief Clerk

0693L.011

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### AN ACT

To repeal section 302.173, RSMo 2000, as enacted by house bill no. 717, eighty-eighth general assembly, first regular session, and section 302.173, RSMo 2000, as enacted by conference committee substitute for house substitute for senate substitute for senate committee substitute for senate bill no. 19, ninetieth general assembly, first regular session, relating to driver's license examination for licensure, and to enact in lieu thereof one new section relating to the same subject.

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

Section A. Section 302.173, RSMo 2000, as enacted by house bill no. 717, eighty-eighth  
2 general assembly, first regular session, and section 302.173, RSMo 2000, as enacted by  
3 conference committee substitute for house substitute for senate substitute for senate committee  
4 substitute for senate bill no. 19, ninetieth general assembly, first regular session, is repealed and  
5 one new section enacted in lieu thereof, to be known as section 302.173, to read as follows:

302.173. 1. Any applicant for a license, who does not possess a valid license issued  
2 pursuant to the laws of this state **or another state** shall be examined as herein provided. Any  
3 person who has failed to renew such person's license on or before the date of its expiration or  
4 within six months thereafter must take the complete examination. Any active member of the  
5 armed forces, their adult dependents or any active member of the peace corps may apply for a  
6 renewal license without examination of any kind, unless otherwise required by sections 302.700  
7 to 302.780, provided the renewal application shows that the previous license had not been  
8 suspended or revoked. Any person honorably discharged from the armed forces of the United  
9 States who held a valid license prior to being inducted may apply for a renewal license within

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

10 sixty days after such person's honorable discharge without submitting to any examination of such  
11 person's ability to safely operate a motor vehicle over the highways of this state unless otherwise  
12 required by sections 302.700 to 302.780, other than the vision test provided in section 302.175,  
13 unless the facts set out in the renewal application or record of convictions on the expiring license,  
14 or the records of the director show that there is good cause to authorize the director to require  
15 the applicant to submit to the complete examination. No applicant for a renewal license shall be  
16 required to submit to any examination of his or her ability to safely operate a motor vehicle over  
17 the highways of this state unless otherwise required by sections 302.700 to 302.780 or  
18 regulations promulgated thereunder, other than a test of the applicant's ability to understand  
19 highway signs regulating, warning or directing traffic and the vision test provided in section  
20 302.175, unless the facts set out in the renewal application or record of convictions on the  
21 expiring license, or the records of the director show that there is good cause to authorize the  
22 director to require the applicant to submit to the complete examination. The examination shall  
23 be made available in each county. Reasonable notice of the time and place of the examination  
24 shall be given the applicant by the person or officer designated to conduct it. The complete  
25 examination shall include a test of the applicant's natural or corrected vision as prescribed in  
26 section 302.175, the applicant's ability to understand highway signs regulating, warning or  
27 directing traffic, the applicant's practical knowledge of the traffic laws of this state, and an actual  
28 demonstration of ability to exercise due care in the operation of a motor vehicle of the  
29 classification for which the license is sought. When an applicant for a license has a valid license  
30 from a state which has requirements for issuance of a license comparable to the Missouri  
31 requirements, the director [may] **shall waive the test of the applicant's ability to understand**  
32 **highway signs regulating, warning or directing traffic, the applicant's practical knowledge**  
33 **of the traffic laws of this state, and** the requirement of actual demonstration of ability to  
34 exercise due care in the operation of a motor vehicle. If the director has reasonable grounds to  
35 believe that an applicant is suffering from some known physical or mental ailment which  
36 ordinarily would interfere with the applicant's fitness to operate a motor vehicle safely upon the  
37 highways, the director may require that the examination include a physical or mental  
38 examination by a licensed physician of the applicant's choice, at the applicant's expense, to  
39 determine the fact. The director shall prescribe regulations to ensure uniformity in the  
40 examinations and in the grading thereof and shall prescribe and furnish all forms to the members  
41 of the highway patrol and to other persons authorized to conduct examinations as may be  
42 necessary to enable the officer or person to properly conduct the examination. The records of  
43 the examination shall be forwarded to the director who shall not issue any license hereunder if  
44 in the director's opinion the applicant is not qualified to operate a motor vehicle safely upon the  
45 highways of this state.

46           2. The director of revenue shall delegate the power to conduct the examinations required  
47 for a license or permit to any member of the highway patrol or any person employed by the  
48 highway patrol. The powers delegated to any examiner may be revoked at any time by the  
49 director of revenue upon notice.

50           3. Notwithstanding the requirements of subsections 1 and 2 of this section, the successful  
51 completion of a motorcycle rider training course approved pursuant to sections 302.133 to  
52 302.138 shall constitute an actual demonstration of the person's ability to exercise due care in  
53 the operation of a motorcycle or motortricycle, and no further driving test shall be required to  
54 obtain a motorcycle or motortricycle license or endorsement.

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2 license issued pursuant to the laws of this state shall be examined as herein provided.  
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4 or within six months thereafter must take the complete examination. Any active  
5 member of the armed forces, their adult dependents or any active member of the  
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7 otherwise required by sections 302.700 to 302.780, provided the renewal application  
8 shows that the previous license had not been suspended or revoked. Any person  
9 honorably discharged from the armed forces of the United States who held a valid  
10 license prior to being inducted may apply for a renewal license within sixty days after  
11 his honorable discharge without submitting to any examination of his ability to safely  
12 operate a motor vehicle over the highways of this state unless otherwise required by  
13 sections 302.700 to 302.780, other than the vision test provided in section 302.175,  
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16 authorize the director to require the applicant to submit to the complete examination.  
17 No applicant for a renewal license shall be required to submit to any examination of  
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19 the vision test provided in section 302.175, unless the facts set out in the renewal  
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25 complete examination shall include a test of the applicant's natural or corrected  
26 vision as prescribed in section 302.175, his ability to understand highway signs  
27 regulating, warning or directing traffic, his practical knowledge of the traffic laws of  
28 this state, and an actual demonstration of ability to exercise due care in the operation  
29 of a motor vehicle of the classification for which the license is sought. When an  
30 applicant for a license has a valid license from a state which has requirements for  
31 issuance of a license comparable to the Missouri requirements, the director may  
32 waive the requirement of actual demonstration of ability to exercise due care in the  
33 operation of a motor vehicle. If the director has reasonable grounds to believe that

34 an applicant is suffering from some known physical or mental ailment which  
35 ordinarily would interfere with the applicant's fitness to operate a motor vehicle  
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37 mental examination by a licensed physician of the applicant's choice, at the  
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50 3. Notwithstanding the requirements of subsections 1 and 2 of this section,  
51 the successful completion of a motorcycle rider training course approved under  
52 sections 302.133 to 302.138 shall constitute an actual demonstration of the person's  
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54 further driving test shall be required to obtain a motorcycle or motortricycle license  
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