

FIRST REGULAR SESSION

HOUSE BILL NO. 653

92ND GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVES EMERY, SELBY, DUSENBERG, SHOEMAKER (8),
WILSON (119) (Co-sponsors), BIVINS, REINHART, MOORE, MILLER, SANDER, KING, BOUGH,
DETHROW, WOOD AND PURGASON.

Read 1st time March 12, 2003, and copies ordered printed.

STEPHEN S. DAVIS, Chief Clerk

1802L.011

AN ACT

To repeal section 577.051, RSMo, and to enact in lieu thereof one new section relating to alcohol- or drug-related offense records, with penalty provisions.

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

Section A. Section 577.051, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 577.051, to read as follows:

577.051. 1. **The head of any law enforcement agency making arrests for violation of any of the provisions of sections 577.001 to 577.023, or violation of county or municipal ordinances involving alcohol- or drug-related driving offenses shall forward to the Missouri state highway patrol within fifteen days from the date of arrest a record of such arrest. The record forwarded by the law enforcement agency shall clearly show the arrest number; court; date, time, and location of violation; name, address, date of birth, race, sex, height, weight, and driver license number and state of the violator; vehicle description; the code or number and written description identifying the particular arrest; and the arresting officer's name and badge number.**

2. A record of the final disposition in any court proceeding involving a violation of any of the provisions of sections [577.005] **577.001** to 577.023, or violation of county or municipal ordinances involving alcohol- or drug-related driving offenses, pleas of guilty, findings of guilty, suspended imposition of sentence, suspended execution of sentence, probation, conditional sentences and sentences of confinement shall be forwarded to the Missouri state highway patrol, or at the written direction of the Missouri state highway patrol, to the department of revenue,

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

16 within fifteen days by the clerk of the court in which the proceeding was held and shall be
17 entered by the highway patrol or department of revenue in the Missouri uniform law enforcement
18 system records. The record forwarded by the clerk shall clearly show the court, the court case
19 number, the name, address, and motor vehicle operator's or chauffeur's license number of the
20 person who is the subject of the proceeding, the code or number identifying the particular arrest,
21 and any court action or requirements pertaining thereto.

22 [2.] 3. All records received by the Missouri state highway patrol or the department of
23 revenue under the provisions of this section shall be entered in the Missouri uniform law
24 enforcement system records and maintained by the Missouri state highway patrol. Records
25 placed in the Missouri uniform law enforcement system under the provisions of this section shall
26 be made available to any law enforcement officer in this state, any prosecuting or circuit attorney
27 in this state, or to any judge of a municipal or state court upon request.

28 [3.] 4. Any person required by this section to furnish records to the Missouri state
29 highway patrol or department of revenue who willfully refuses to furnish such records shall be
30 guilty of a class C misdemeanor.

31 [4.] 5. Records required to be filed with the Missouri state highway patrol or the
32 department of revenue under the provisions of sections 302.225, RSMo, and 577.001 to 577.051
33 shall be filed beginning July 1, 1983, and no penalties for nonfiling of records shall be applied
34 prior to July 1, 1983.

35 [5.] 6. Forms and procedures for filing of records with the Missouri state highway patrol
36 or department of revenue as required in this chapter shall be promulgated by the director of the
37 department of public safety or department of revenue, as applicable, and approved by the
38 Missouri supreme court.

39 [6.] 7. All record-keeping procedures required under the provisions of sections [577.005]
40 **577.001** to 577.023 shall be in accordance with this section, chapter 610, RSMo, to the contrary
41 notwithstanding.