

SECOND REGULAR SESSION

# HOUSE BILL NO. 1160

## 93RD GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVES WILSON (130) (Sponsor), RUESTMAN, LeVOTA,  
FISHER AND BROWN (30) (Co-sponsors).

Pre-filed December 20, 2005 and copies ordered printed.

STEPHEN S. DAVIS, Chief Clerk

3818L.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 577.016, to read as follows:

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

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

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

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

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

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

18           4. Any personal property in a vehicle impounded pursuant to this subsection may  
19 be retrieved prior to or during the period of such impoundment or immobilization.

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

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

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