

FIRST REGULAR SESSION

HOUSE BILL NO. 326

94TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVES KRAUS (Sponsor), NANCE, DIXON, CHAPPELLE-NADAL,
MUSCHANY AND MOORE (Co-sponsors).

Read 1st time January 10, 2007 and copies ordered printed.

D. ADAM CRUMBLISS, Chief Clerk

0082L.01I

AN ACT

To repeal section 577.500, RSMo, and to enact in lieu thereof one new section relating to alcohol-related traffic offenses.

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

Section A. Section 577.500, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 577.500, to read as follows:

577.500. 1. A court of competent jurisdiction shall, upon a plea of guilty, conviction or finding of guilt, or, if the court is a juvenile court, upon a finding of fact that the offense was committed by a juvenile, enter an order suspending or revoking the driving privileges of any person determined to have committed one of the following offenses and who, at the time said offense was committed, was under twenty-one years of age:

(1) Any alcohol-related traffic offense in violation of state law or a county or, beginning July 1, 1992, municipal ordinance, where the defendant was represented by or waived the right to an attorney in writing;

(2) Any offense in violation of state law or, beginning July 1, 1992, a county or municipal ordinance, where the defendant was represented by or waived the right to an attorney in writing, involving the possession or use of alcohol, committed while operating a motor vehicle;

(3) Any offense involving the possession or use of a controlled substance as defined in chapter 195, RSMo, in violation of the state law or, beginning July 1, 1992, a county or

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.

15 municipal ordinance, where the defendant was represented by or waived the right to an attorney
16 in writing;

17 (4) Any offense involving the alteration, modification or misrepresentation of a license
18 to operate a motor vehicle in violation of section 311.328, RSMo;

19 (5) Any offense in violation of state law or, beginning July 1, 1992, a county or
20 municipal ordinance, where the defendant was represented by or waived the right to an attorney
21 in writing, involving the possession or use of alcohol for a second time; except that a
22 determination of guilt or its equivalent shall have been made for the first offense and both
23 offenses shall have been committed by the person when the person was under eighteen years of
24 age.

25 2. A court of competent jurisdiction shall, upon a plea of guilty or nolo contendere,
26 conviction or finding of guilt, or, if the court is a juvenile court, upon a finding of fact that the
27 offense was committed by a juvenile, enter an order suspending or revoking the driving
28 privileges of any person determined to have committed a crime or violation of section 311.325,
29 RSMo, and who, at the time said crime or violation was committed, was more than fifteen years
30 of age and under twenty-one years of age.

31 3. The court shall require the surrender to it of any license to operate a motor vehicle,
32 temporary instruction permit, intermediate driver's license or any other driving privilege then
33 held by any person against whom a court has entered an order suspending or revoking driving
34 privileges under subsections 1 and 2 of this section.

35 4. The court, if other than a juvenile court, shall forward to the director of revenue the
36 order of suspension or revocation of driving privileges and any licenses, temporary instruction
37 permits, intermediate driver's licenses, or any other driving privilege acquired under subsection
38 3 of this section.

39 5. (1) The court, if a juvenile court, shall forward to the director of revenue the order
40 of suspension or revocation of driving privileges and any licenses, temporary instruction permits,
41 intermediate driver's licenses, or any other driving privilege acquired under subsection 3 of this
42 section for any person sixteen years of age or older, the provision of chapter 211, RSMo, to the
43 contrary notwithstanding.

44 (2) The court, if a juvenile court, shall hold the order of suspension or revocation of
45 driving privileges for any person less than sixteen years of age until thirty days before the
46 person's sixteenth birthday, at which time the juvenile court shall forward to the director of
47 revenue the order of suspension or revocation of driving privileges, the provision of chapter 211,
48 RSMo, to the contrary notwithstanding.

49 6. The period of suspension for a first offense under subsection 1 of this section shall be
50 [ninety] **one hundred eighty** days. Any second or subsequent offense under subsection 1 of this

51 section shall result in revocation of the offender's driving privileges for one year. The period of
52 suspension for a first offense under subsection 2 of this section shall be thirty days. The period
53 of suspension for a second offense under subsection 2 of this section shall be ninety days. Any
54 third or subsequent offense under subsection 2 of this section shall result in revocation of the
55 offender's driving privileges for one year.

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