

SECOND REGULAR SESSION

# HOUSE BILL NO. 1492

## 94TH GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVE SMITH (14).

Pre-filed December 19, 2007 and copies ordered printed.

D. ADAM CRUMBLISS, Chief Clerk

3666L.01I

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### AN ACT

To repeal sections 302.060, 302.080, 302.130, 302.132, 302.171, 302.178, and 302.250, RSMo, and to enact in lieu thereof six new sections relating to the legal driving age.

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

Section A. Sections 302.060, 302.080, 302.130, 302.132, 302.171, 302.178, and  
2 302.250, RSMo, are repealed and six new sections enacted in lieu thereof, to be known as  
3 sections 302.060, 302.080, 302.130, 302.132, 302.171, and 302.250, to read as follows:

302.060. The director shall not issue any license and shall immediately deny any driving  
2 privilege:

3 (1) To any person who is under the age of eighteen years[, if such person operates a  
4 motor vehicle in the transportation of persons or property as classified in section 302.015;

5 (2) To any person who is under the age of sixteen years], except as hereinafter provided;

6 [(3)] (2) To any person whose license has been suspended, during such suspension, or  
7 to any person whose license has been revoked, until the expiration of one year after such license  
8 was revoked;

9 [(4)] (3) To any person who is an habitual drunkard or is addicted to the use of narcotic  
10 drugs;

11 [(5)] (4) To any person who has previously been adjudged to be incapacitated and who  
12 at the time of application has not been restored to partial capacity;

13 [(6)] (5) To any person who, when required by this law to take an examination, has failed  
14 to pass such examination;

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        [(7)] (6) To any person who has an unsatisfied judgment against such person, as defined  
16 in chapter 303, RSMo, until such judgment has been satisfied or the financial responsibility of  
17 such person, as defined in section [303.120] **303.020**, RSMo, has been established;

18        [(8)] (7) To any person whose application shows that the person has been convicted  
19 within one year prior to such application of violating the laws of this state relating to failure to  
20 stop after an accident and to disclose the person's identity or driving a motor vehicle without the  
21 owner's consent;

22        [(9)] (8) To any person who has been convicted more than twice of violating state law,  
23 or a county or municipal ordinance where the defendant was represented by or waived the right  
24 to an attorney in writing, relating to driving while intoxicated; except that, after the expiration  
25 of ten years from the date of conviction of the last offense of violating such law or ordinance  
26 relating to driving while intoxicated, a person who was so convicted may petition the circuit  
27 court of the county in which such last conviction was rendered and the court shall review the  
28 person's habits and conduct since such conviction. If the court finds that the petitioner has not  
29 been convicted of any offense related to alcohol, controlled substances or drugs during the  
30 preceding ten years and that the petitioner's habits and conduct show such petitioner to no longer  
31 pose a threat to the public safety of this state, the court may order the director to issue a license  
32 to the petitioner if the petitioner is otherwise qualified pursuant to the provisions of sections  
33 302.010 to 302.540. No person may obtain a license pursuant to the provisions of this  
34 subdivision through court action more than one time;

35        [(10)] (9) To any person who has been convicted twice within a five-year period of  
36 violating state law, or a county or municipal ordinance where the defendant was represented by  
37 or waived the right to an attorney in writing, of driving while intoxicated, or who has been  
38 convicted of the crime of involuntary manslaughter while operating a motor vehicle in an  
39 intoxicated condition. The director shall not issue a license to such person for five years from  
40 the date such person was convicted for involuntary manslaughter while operating a motor vehicle  
41 in an intoxicated condition or for driving while intoxicated for the second time. Any person who  
42 has been denied a license for two convictions of driving while intoxicated prior to July 27, 1989,  
43 shall have the person's license issued, upon application, unless the two convictions occurred  
44 within a five-year period, in which case, no license shall be issued to the person for five years  
45 from the date of the second conviction;

46        [(11)] (10) To any person who is otherwise disqualified pursuant to the provisions of  
47 sections 302.010 to 302.780, chapter 303, RSMo, or section 544.046, RSMo[;

48        (12) To any person who is under the age of eighteen years, if such person's parents or  
49 legal guardians file a certified document with the department of revenue stating that the director  
50 shall not issue such person a driver's license. Each document filed by the person's parents or

51 legal guardians shall be made upon a form furnished by the director and shall include identifying  
52 information of the person for whom the parents or legal guardians are denying the driver's  
53 license. The document shall also contain identifying information of the person's parents or legal  
54 guardians. The document shall be certified by the parents or legal guardians to be true and  
55 correct. This provision shall not apply to any person who is legally emancipated. The parents  
56 or legal guardians may later file an additional document with the department of revenue which  
57 reinstates the person's ability to receive a driver's license].

302.080. The following persons are exempt from license hereunder:

- 2 (1) Any person while operating any farm tractor or implement of husbandry temporarily  
3 operated or moved on a highway;
- 4 (2) A nonresident who is at least [sixteen] **eighteen** years of age and who has in his  
5 immediate possession a valid license issued to him in his home state or country;
- 6 (3) A nonresident who is at least eighteen years of age and who has in his immediate  
7 possession a valid license issued to him in his home state or country which allows such person  
8 to operate a motor vehicle in the transportation of persons or property as classified in section  
9 302.015;
- 10 (4) Convicted offenders of the department of corrections who have not been convicted  
11 of a motor vehicle felony as follows--driving while intoxicated, failing to stop after an accident  
12 and disclosing his or her identity, or driving a motor vehicle without the owner's consent--may  
13 operate state-owned trucks for the benefit of the correctional facilities, provided that such  
14 offender shall be accompanied by a correctional officer or other staff person in such truck.

302.130. 1. Any person at least [fifteen] **seventeen** years of age who, except for age or  
2 lack of instruction in operating a motor vehicle, would otherwise be qualified to obtain a license  
3 pursuant to sections 302.010 to 302.340 may apply for and the director shall issue a temporary  
4 instruction permit entitling the applicant, while having such permit in the applicant's immediate  
5 possession, to drive a motor vehicle of the appropriate class upon the highways for a period of  
6 twelve months, but any such person, except when operating a motorcycle or motortricycle, must  
7 be accompanied by a licensed operator for the type of motor vehicle being operated who is  
8 actually occupying a seat beside the driver for the purpose of giving instruction in driving the  
9 motor vehicle, who is at least twenty-one years of age, and in the case of any driver under  
10 [sixteen] **eighteen** years of age, the licensed operator occupying the seat beside the driver shall  
11 be a grandparent, parent, guardian, a driver training instructor holding a valid driver education  
12 endorsement on a teaching certificate issued by the department of elementary and secondary  
13 education or a qualified instructor of a private drivers' education program who has a valid driver's  
14 license. An applicant for a temporary instruction permit shall successfully complete a vision test  
15 and a test of the applicant's ability to understand highway signs which regulate, warn or direct

16 traffic and practical knowledge of the traffic laws of this state, pursuant to section 302.173. In  
17 addition, beginning January 1, 2007, no permit shall be granted pursuant to this subsection unless  
18 a parent or legal guardian gives written permission by signing the application and in so signing,  
19 state they, or their designee as set forth in subsection 2 of this section, will provide a minimum  
20 of forty hours of behind-the-wheel driving instruction, including a minimum of ten hours of  
21 behind-the-wheel driving instruction that occurs during the nighttime hours falling between  
22 sunset and sunrise. The forty hours of behind-the-wheel driving instruction that is completed  
23 pursuant to this subsection may include any time that the holder of an instruction permit has  
24 spent operating a motor vehicle in a driver training program taught by a driver training instructor  
25 holding a valid driver education endorsement on a teaching certificate issued by the department  
26 of elementary and secondary education or by a qualified instructor of a private drivers' education  
27 program. If the applicant for a permit is enrolled in a federal residential job training program,  
28 the instructor[, as defined in subsection 5 of this section,] is authorized to sign the application  
29 stating that the applicant will receive the behind-the-wheel driving instruction required by this  
30 section.

31         2. In the event the parent, grandparent or guardian of the person under [sixteen] **eighteen**  
32 years of age has a physical disability which prohibits or disqualifies said parent, grandparent or  
33 guardian from being a qualified licensed operator pursuant to this section, said parent,  
34 grandparent or guardian may designate a maximum of two individuals authorized to accompany  
35 the applicant for the purpose of giving instruction in driving the motor vehicle. An authorized  
36 designee must be a licensed operator for the type of motor vehicle being operated and have  
37 attained twenty-one years of age. At least one of the designees must occupy the seat beside the  
38 applicant while giving instruction in driving the motor vehicle. The name of the authorized  
39 designees must be provided to the department of revenue by the parent, grandparent or guardian  
40 at the time of application for the temporary instruction permit. The name of each authorized  
41 designee shall be printed on the temporary instruction permit, however, the director may delay  
42 the time at which permits are printed bearing such names until the inventories of blank permits  
43 and related forms existing on August 28, 1998, are exhausted.

44         3. The director, upon proper application on a form prescribed by the director, in his or  
45 her discretion, may issue a restricted instruction permit effective for a school year or more  
46 restricted period to an applicant who is enrolled in a high school driver training program taught  
47 by a driver training instructor holding a valid driver education endorsement on a teaching  
48 certificate issued by the state department of elementary and secondary education even though the  
49 applicant has not reached the age of [sixteen] **eighteen** years but has passed the age of [fifteen]  
50 **seventeen** years. Such instruction permit shall entitle the applicant, when the applicant has such  
51 permit in his or her immediate possession, to operate a motor vehicle on the highways, but only

52 when a driver training instructor holding a valid driver education endorsement on a teaching  
53 certificate issued by the state department of elementary and secondary education is occupying  
54 a seat beside the driver.

55 4. The director, in his or her discretion, may issue a temporary driver's permit to an  
56 applicant who is otherwise qualified for a license permitting the applicant to operate a motor  
57 vehicle while the director is completing the director's investigation and determination of all facts  
58 relative to such applicant's rights to receive a license. Such permit must be in the applicant's  
59 immediate possession while operating a motor vehicle, and it shall be invalid when the  
60 applicant's license has been issued or for good cause has been refused.

61 5. In the event that the applicant for a temporary instruction permit described in  
62 subsection 1 of this section is a participant in a federal residential job training program, the  
63 permittee may operate a motor vehicle accompanied by a driver training instructor who holds a  
64 valid driver education endorsement issued by the department of elementary and secondary  
65 education and a valid driver's license.

66 6. A person at least [fifteen] **seventeen** years of age may operate a motor vehicle as part  
67 of a driver training program taught by a driver training instructor holding a valid driver education  
68 endorsement on a teaching certificate issued by the department of elementary and secondary  
69 education or a qualified instructor of a private drivers' education program.

70 7. Beginning January 1, 2003, the director shall issue with every temporary instruction  
71 permit issued pursuant to subsection 1 of this section a sticker or sign bearing the words  
72 "PERMIT DRIVER". The design and size of such sticker or sign shall be determined by the  
73 director by regulation. Every applicant issued a temporary instruction permit and sticker on or  
74 after January 1, 2003, may display or affix the sticker or sign on the rear window of the motor  
75 vehicle. Such sticker or sign may be displayed on the rear window of the motor vehicle  
76 whenever the holder of the instruction permit operates a motor vehicle during his or her  
77 temporary permit licensure period.

78 8. Beginning July 1, 2005, the director shall verify that an applicant for an instruction  
79 permit issued under this section is lawfully present in the United States before accepting the  
80 application. The director shall not issue an instruction permit for a period that exceeds an  
81 applicant's lawful presence in the United States. The director may establish procedures to verify  
82 the lawful presence of the applicant and establish the duration of any permit issued under this  
83 section.

84 9. The director may adopt rules and regulations necessary to carry out the provisions of  
85 this section.

302.132. 1. Any person at least [fifteen] **seventeen** and one-half years of age who,  
2 except for age or lack of instruction in operating a motor vehicle, would otherwise be qualified

3 to obtain a motorcycle or motortricycle license or endorsement pursuant to sections 302.010 to  
4 302.340 may apply, with the written consent of the parent or guardian of such person, for a  
5 temporary motorcycle instruction permit to operate a motorcycle or motortricycle.

6 2. The director shall issue a temporary motorcycle instruction permit under this section  
7 if the applicant has completed a motorcycle rider training course approved under sections  
8 302.133 to 302.138 and is otherwise eligible for the temporary permit.

9 3. A person receiving a temporary motorcycle permit and having it in his immediate  
10 possession shall be entitled to operate a motorcycle or motortricycle for a period of six months  
11 upon the highways of the state, and persons under the age of sixteen shall be subject to the  
12 following restrictions:

13 (1) The motorcycle or motortricycle may not have an engine with a displacement of  
14 greater than two hundred fifty cubic centimeters;

15 (2) The operator shall not travel at any time from a half-hour after sunset to a half-hour  
16 before sunrise;

17 (3) The operator shall not carry any passengers; and

18 (4) The operator shall not travel over fifty miles from the operator's home address.

302.171. 1. Beginning July 1, 2005, the director shall verify that an applicant for a  
2 driver's license is lawfully present in the United States before accepting the application. The  
3 director shall not issue a driver's license for a period that exceeds an applicant's lawful presence  
4 in the United States. The director may establish procedures to verify the lawful presence of the  
5 applicant and establish the duration of any driver's license issued under this section. An  
6 application for a license shall be made upon an approved form furnished by the director. Every  
7 application shall state the full name, Social Security number, age, height, weight, color of eyes,  
8 sex, residence, mailing address of the applicant, and the classification for which the applicant  
9 has been licensed, and, if so, when and by what state, and whether or not such license has ever  
10 been suspended, revoked, or disqualified, and, if revoked, suspended or disqualified, the date and  
11 reason for such suspension, revocation or disqualification and whether the applicant is making  
12 a one dollar donation to promote an organ donation program as prescribed in subsection 2 of this  
13 section. A driver's license, nondriver's license, or instruction permit issued under this chapter  
14 shall contain the applicant's legal name as it appears on a birth certificate or as legally changed  
15 through marriage or court order. No name change by common usage based on common law shall  
16 be permitted. The application shall also contain such information as the director may require to  
17 enable the director to determine the applicant's qualification for driving a motor vehicle; and  
18 shall state whether or not the applicant has been convicted in this or any other state for violating  
19 the laws of this or any other state or any ordinance of any municipality, relating to driving  
20 without a license, careless driving, or driving while intoxicated, or failing to stop after an

21 accident and disclosing the applicant's identity, or driving a motor vehicle without the owner's  
22 consent. The application shall contain a certification by the applicant as to the truth of the facts  
23 stated therein. Every person who applies for a license to operate a motor vehicle who is less than  
24 twenty-one years of age shall be provided with educational materials relating to the hazards of  
25 driving while intoxicated, including information on penalties imposed by law for violation of the  
26 intoxication-related offenses of the state. [Beginning January 1, 2001, if the applicant is less than  
27 eighteen years of age, the applicant must comply with all requirements for the issuance of an  
28 intermediate driver's license pursuant to section 302.178.] For persons mobilized and deployed  
29 with the United States Armed Forces, an application under this subsection shall be considered  
30 satisfactory by the department of revenue if it is signed by a person who holds general power of  
31 attorney executed by the person deployed, provided the applicant meets all other requirements  
32 set by the director.

33       2. An applicant for a license may make a donation of one dollar to promote an organ  
34 donor program. The director of revenue shall collect the donations and deposit all such  
35 donations in the state treasury to the credit of the organ donor program fund established in  
36 sections 194.297 to 194.304, RSMo. Moneys in the organ donor program fund shall be used  
37 solely for the purposes established in sections 194.297 to 194.304, RSMo, except that the  
38 department of revenue shall retain no more than one percent for its administrative costs. The  
39 donation prescribed in this subsection is voluntary and may be refused by the applicant for the  
40 license at the time of issuance or renewal of the license. The director shall make available an  
41 informational booklet or other informational sources on the importance of organ donations to  
42 applicants for licensure as designed by the organ donation advisory committee established in  
43 sections 194.297 to 194.304, RSMo. The director shall inquire of each applicant at the time the  
44 licensee presents the completed application to the director whether the applicant is interested in  
45 making the one dollar donation prescribed in this subsection and whether the applicant is  
46 interested in inclusion in the organ donor registry and shall also specifically inform the licensee  
47 of the ability to consent to organ donation by completing the form on the reverse of the license  
48 that the applicant will receive in the manner prescribed by subsection 6 of section 194.240,  
49 RSMo. The director shall notify the department of health and senior services of information  
50 obtained from applicants who indicate to the director that they are interested in registry  
51 participation, and the department of health and senior services shall enter the complete name,  
52 address, date of birth, race, gender and a unique personal identifier in the registry established in  
53 subsection 1 of section 194.304, RSMo.

54       3. An applicant for a license may make a donation of one dollar to promote a blindness  
55 education, screening and treatment program. The director of revenue shall collect the donations  
56 and deposit all such donations in the state treasury to the credit of the blindness education,

57 screening and treatment program fund established in section 192.935, RSMo. Moneys in the  
58 blindness education, screening and treatment program fund shall be used solely for the purposes  
59 established in section 192.935, RSMo, except that the department of revenue shall retain no more  
60 than one percent for its administrative costs. The donation prescribed in this subsection is  
61 voluntary and may be refused by the applicant for the license at the time of issuance or renewal  
62 of the license. The director shall inquire of each applicant at the time the licensee presents the  
63 completed application to the director whether the applicant is interested in making the one dollar  
64 donation prescribed in this subsection.

65 4. Beginning July 1, 2005, the director shall deny the driving privilege of any person who  
66 commits fraud or deception during the examination process or who makes application for an  
67 instruction permit, driver's license, or nondriver's license which contains or is substantiated with  
68 false or fraudulent information or documentation, or who knowingly conceals a material fact or  
69 otherwise commits a fraud in any such application. The period of denial shall be one year from  
70 the effective date of the denial notice sent by the director. The denial shall become effective ten  
71 days after the date the denial notice is mailed to the person. The notice shall be mailed to the  
72 person at the last known address shown on the person's driving record. The notice shall be  
73 deemed received three days after mailing unless returned by the postal authorities. No such  
74 individual shall reapply for a driver's examination, instruction permit, driver's license, or  
75 nondriver's license until the period of denial is completed. No individual who is denied the  
76 driving privilege under this section shall be eligible for a limited driving privilege issued under  
77 section 302.309.

78 5. All appeals of denials under this section shall be made as required by section 302.311.

79 6. The period of limitation for criminal prosecution under this section shall be extended  
80 under subdivision (1) of subsection 3 of section 556.036, RSMo.

81 7. The director may promulgate rules and regulations necessary to administer and enforce  
82 this section. No rule or portion of a rule promulgated pursuant to the authority of this section  
83 shall become effective unless it has been promulgated pursuant to chapter 536, RSMo.

84 8. Notwithstanding any provisions of this chapter that requires an applicant to provide  
85 proof of lawful presence for renewal of a noncommercial driver's license, noncommercial  
86 instruction permit, or nondriver's license, an applicant who is sixty-five years and older and who  
87 was previously issued a Missouri noncommercial driver's license, noncommercial instruction  
88 permit, or Missouri nondriver's license is exempt from showing proof of lawful presence.

89 9. Notwithstanding any other provision of this chapter, if an applicant does not meet the  
90 requirements of subsection 8 of this section and does not have the required documents to prove  
91 lawful presence, the department may issue a one-year driver's license renewal. This one-time  
92 renewal shall only be issued to an applicant who previously has held a Missouri noncommercial



93 driver's license, noncommercial instruction permit, or nondriver's license for a period of fifteen  
94 years or more and who does not have the required documents to prove lawful presence. After  
95 the expiration of the one-year period, no further renewal shall be provided without the applicant  
96 producing proof of lawful presence.

2 302.250. No person shall cause or knowingly permit his child or ward under the age of  
3 [sixteen] **eighteen** years to drive a motor vehicle upon any highway when such minor is not  
3 authorized hereunder or in violation of any of the provisions of sections 302.010 to 302.260.

2 [302.178. 1. Any person between the ages of sixteen and eighteen years  
3 who is qualified to obtain a license pursuant to sections 302.010 to 302.340 may  
4 apply for, and the director shall issue, an intermediate driver's license entitling the  
5 applicant, while having such license in his or her possession, to operate a motor  
6 vehicle of the appropriate class upon the highways of this state in conjunction  
7 with the requirements of this section. An intermediate driver's license shall be  
8 readily distinguishable from a license issued to those over the age of eighteen.  
8 All applicants for an intermediate driver's license shall:

9 (1) Successfully complete the examination required by section 302.173;

10 (2) Pay the fee required by subsection 4 of this section;

11 (3) Have had a temporary instruction permit issued pursuant to  
12 subsection 1 of section 302.130 for at least a six-month period or a valid license  
13 from another state; and

14 (4) Have a parent, grandparent, legal guardian, or, if the applicant is a  
15 participant in a federal residential job training program, a driving instructor  
16 employed by a federal residential job training program, sign the application  
17 stating that the applicant has completed at least forty hours of supervised driving  
18 experience under a temporary instruction permit issued pursuant to subsection 1  
19 of section 302.130, or, if the applicant is an emancipated minor, the person over  
20 twenty-one years of age who supervised such driving. For purposes of this  
21 section, the term "emancipated minor" means a person who is at least sixteen  
22 years of age, but less than eighteen years of age, who:

23 (a) Marries with the consent of the legal custodial parent or legal  
24 guardian pursuant to section 451.080, RSMo;

25 (b) Has been declared emancipated by a court of competent jurisdiction;

26 (c) Enters active duty in the armed forces;

27 (d) Has written consent to the emancipation from the custodial parent or  
28 legal guardian; or

29 (e) Through employment or other means provides for such person's own  
30 food, shelter and other cost-of-living expenses;

31 (5) Have had no alcohol-related enforcement contacts as defined in  
32 section 302.525 during the preceding twelve months; and

33 (6) Have no nonalcoholic traffic convictions for which points are  
34 assessed pursuant to section 302.302, within the preceding six months.

35           2. An intermediate driver's license grants the licensee the same privileges  
36 to operate that classification of motor vehicle as a license issued pursuant to  
37 section 302.177, except that no person shall operate a motor vehicle on the  
38 highways of this state under such an intermediate driver's license between the  
39 hours of 1:00 a.m. and 5:00 a.m. unless accompanied by a person described in  
40 subsection 1 of section 302.130; except the licensee may operate a motor vehicle  
41 without being accompanied if the travel is to or from a school or educational  
42 program or activity, a regular place of employment or in emergency situations as  
43 defined by the director by regulation.

44           3. Each intermediate driver's license shall be restricted by requiring that  
45 the driver and all passengers in the licensee's vehicle wear safety belts at all  
46 times. This safety belt restriction shall not apply to a person operating a  
47 motorcycle. For the first six months after issuance of the intermediate driver's  
48 license, the holder of the license shall not operate a motor vehicle with more than  
49 one passenger who is under the age of nineteen who is not a member of the  
50 holder's immediate family. As used in this subsection, an intermediate driver's  
51 license holder's immediate family shall include brothers, sisters, stepbrothers or  
52 stepsisters of the driver, including adopted or foster children residing in the same  
53 household of the intermediate driver's license holder. After the expiration of the  
54 first six months, the holder of an intermediate driver's license shall not operate  
55 a motor vehicle with more than three passengers who are under nineteen years of  
56 age and who are not members of the holder's immediate family. The passenger  
57 restrictions of this subsection shall not be applicable to any intermediate driver's  
58 license holder who is operating a motor vehicle being used in agricultural  
59 work-related activities.

60           4. Notwithstanding the provisions of section 302.177 to the contrary, the  
61 fee for an intermediate driver's license shall be five dollars and such license shall  
62 be valid for a period of two years.

63           5. Any intermediate driver's licensee accumulating six or more points in  
64 a twelve-month period may be required to participate in and successfully  
65 complete a driver-improvement program approved by the director of the  
66 department of public safety. The driver-improvement program ordered by the  
67 director of revenue shall not be used in lieu of point assessment.

68           6. (1) An intermediate driver's licensee who has, for the preceding  
69 twelve-month period, had no alcohol-related enforcement contacts, as defined in  
70 section 302.525 and no traffic convictions for which points are assessed, upon  
71 reaching the age of eighteen years or within the thirty days immediately preceding  
72 their eighteenth birthday may apply for and receive without further examination,  
73 other than a vision test as prescribed by section 302.173, a license issued pursuant  
74 to this chapter granting full driving privileges. Such person shall pay the required  
75 fee for such license as prescribed in section 302.177.

76           (2) If an intermediate driver's license expires on a Saturday, Sunday, or  
77 legal holiday, such license shall remain valid for the five business days

78 immediately following the expiration date. In no case shall a licensee whose  
79 intermediate driver's license expires on a Saturday, Sunday, or legal holiday be  
80 guilty of an offense of driving with an expired or invalid driver's license if such  
81 offense occurred within five business days immediately following an expiration  
82 date that occurs on a Saturday, Sunday, or legal holiday.

83 (3) The director of revenue shall deny an application for a full driver's  
84 license until the person has had no traffic convictions for which points are  
85 assessed for a period of twelve months prior to the date of application for license  
86 or until the person is eligible to apply for a six-year driver's license as provided  
87 for in section 302.177, provided the applicant is otherwise eligible for full driving  
88 privileges. An intermediate driver's license shall expire when the licensee is  
89 eligible and receives a full driver's license as prescribed in subdivision (1) of this  
90 section.

91 7. No person upon reaching the age of eighteen years whose intermediate  
92 driver's license and driving privilege is denied, suspended, canceled or revoked  
93 in this state or any other state for any reason may apply for a full driver's license  
94 until such license or driving privilege is fully reinstated. Any such person whose  
95 intermediate driver's license has been revoked pursuant to the provisions of  
96 sections 302.010 to 302.540 shall, upon receipt of reinstatement of the revocation  
97 from the director, pass the complete driver examination, apply for a new license,  
98 and pay the proper fee before again operating a motor vehicle upon the highways  
99 of this state.

100 8. A person shall be exempt from the intermediate licensing requirements  
101 if the person has reached the age of eighteen years and meets all other licensing  
102 requirements.

103 9. Any person who violates any of the provisions of this section relating  
104 to intermediate drivers' licenses or the provisions of section 302.130 relating to  
105 temporary instruction permits is guilty of an infraction, and no points shall be  
106 assessed to his or her driving record for any such violation.

107 10. Any rule or portion of a rule, as that term is defined in section  
108 536.010, RSMo, that is created under the authority delegated in this section shall  
109 become effective only if it complies with and is subject to all of the provisions  
110 of chapter 536, RSMo, and, if applicable, section 536.028, RSMo. This section  
111 and chapter 536, RSMo, are nonseverable and if any of the powers vested with  
112 the general assembly pursuant to chapter 536, RSMo, to review, to delay the  
113 effective date or to disapprove and annul a rule are subsequently held  
114 unconstitutional, then the grant of rulemaking authority and any rule proposed or  
115 adopted after August 28, 2000, shall be invalid and void.]

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