

SECOND REGULAR SESSION

HOUSE BILL NO. 2140

95TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVES GATSCHENBERGER (Sponsor) AND JONES (89) (Co-sponsor).

4195L.02I

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To repeal section 302.173, RSMo, and to enact in lieu thereof one new section relating to drivers license exam administration.

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

Section A. Section 302.173, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 302.173, to read as follows: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 pursuant to the laws of this state, another state, or a country which has a reciprocal agreement with the state of Missouri regarding the exchange of licenses pursuant to section 302.172 shall be examined as herein provided. Any person who has failed to renew such person's license on or before the date of its expiration or within six months thereafter must take the complete examination. Any active member of the armed forces, their adult dependents or any active member of the peace corps may apply for a renewal license without examination of any kind, unless otherwise required by sections 302.700 to 302.780, provided the renewal application shows that the previous license had not been suspended or revoked. Any person honorably discharged from the armed forces of the United States who held a valid license prior to being inducted may apply for a renewal license within sixty days after such person's honorable discharge without submitting to any examination of such person's ability to safely operate a motor vehicle over the highways of this state unless otherwise required by sections 302.700 to 302.780, other than the vision test provided in section 302.175, unless the facts set out in the renewal application or record of convictions on the expiring license, or the records of the director show that there is good cause to authorize the director to require the applicant to submit to the complete examination. No applicant for a renewal license shall be required to submit to any

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.

18 examination of his or her ability to safely operate a motor vehicle over the highways of this state
19 unless otherwise required by sections 302.700 to 302.780 or regulations promulgated thereunder,
20 other than a test of the applicant's ability to understand highway signs regulating, warning or
21 directing traffic and the vision test provided in section 302.175, unless the facts set out in the
22 renewal application or record of convictions on the expiring license, or the records of the director
23 show that there is good cause to authorize the director to require the applicant to submit to the
24 complete examination. The examination shall be made available in each county. Reasonable
25 notice of the time and place of the examination shall be given the applicant by the person or
26 officer designated to conduct it. The complete examination shall include a test of the applicant's
27 natural or corrected vision as prescribed in section 302.175, the applicant's ability to understand
28 highway signs regulating, warning or directing traffic, the applicant's practical knowledge of the
29 traffic laws of this state, and an actual demonstration of ability to exercise due care in the
30 operation of a motor vehicle of the classification for which the license is sought. **The director**
31 **shall neither supply nor permit the use of foreign language interpreters in connection with**
32 **the written and driving tests required under this section.** When an applicant for a license has
33 a license from a state which has requirements for issuance of a license comparable to the
34 Missouri requirements or a license from a country which has a reciprocal agreement with the
35 state of Missouri regarding the exchange of licenses pursuant to section 302.172 and such license
36 has not expired more than six months prior to the date of application for the Missouri license,
37 the director may waive the test of the applicant's practical knowledge of the traffic laws of this
38 state, and the requirement of actual demonstration of ability to exercise due care in the operation
39 of a motor vehicle. If the director has reasonable grounds to believe that an applicant is suffering
40 from some known physical or mental ailment which ordinarily would interfere with the
41 applicant's fitness to operate a motor vehicle safely upon the highways, the director may require
42 that the examination include a physical or mental examination by a licensed physician of the
43 applicant's choice, at the applicant's expense, to determine the fact. The director shall prescribe
44 regulations to ensure uniformity in the examinations and in the grading thereof and shall
45 prescribe and furnish all forms to the members of the highway patrol and to other persons
46 authorized to conduct examinations as may be necessary to enable the officer or person to
47 properly conduct the examination. The records of the examination shall be forwarded to the
48 director who shall not issue any license hereunder if in the director's opinion the applicant is not
49 qualified to operate a motor vehicle safely upon the highways of this state.

50 2. Beginning July 1, 2005, when the examiner has reasonable grounds to believe that an
51 individual has committed fraud or deception during the examination process, the license
52 examiner shall immediately forward to the director all information relevant to any fraud or
53 deception, including, but not limited to, a statement of the examiner's grounds for belief that the

54 person committed or attempted to commit fraud or deception in the written, skills, or vision
55 examination.

56 3. The director of revenue shall delegate the power to conduct the examinations required
57 for a license or permit to any member of the highway patrol or any person employed by the
58 highway patrol. The powers delegated to any examiner may be revoked at any time by the
59 director of revenue upon notice.

60 4. Notwithstanding the requirements of subsections 1 and 3 of this section, the successful
61 completion of a motorcycle rider training course approved pursuant to sections 302.133 to
62 302.137 shall constitute an actual demonstration of the person's ability to exercise due care in
63 the operation of a motorcycle or motortricycle, and no further driving test shall be required to
64 obtain a motorcycle or motortricycle license or endorsement.

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