

HOUSE _____ **AMENDMENT NO.** _____

Offered By

1 AMEND Senate Bill No. 0893, Page 27, Section A, Line 3, by inserting after all of said line the
2 following:

3 "301.449. [Any] Only a community college or four-year public or private institution of
4 higher education, or a foundation or organization representing the college or institution, located in
5 the state of Missouri may itself authorize or may by the director of revenue be authorized to use
6 the school's [the use of its] official emblem to be affixed on multiyear personalized license plates
7 as provided in this section. Any contribution to such institution derived from this section, except
8 reasonable administrative costs, shall be used for scholarship endowment or other academically
9 related purposes. Any vehicle owner may annually apply to the institution for the use of the
10 emblem. Upon annual application and payment of an emblem use contribution to the institution,
11 which shall be set by the governing body of the institution at an amount of at least twenty-five
12 dollars, the institution shall issue to the vehicle owner, without further charge, an "emblem use
13 authorization statement", which shall be presented by the vehicle owner to the department of
14 revenue at the time of registration. Upon presentation of the annual statement and payment of the
15 fee required for personalized license plates in section 301.144, and other fees and documents
16 which may be required by law, the department of revenue shall issue a personalized license plate,
17 which shall bear the seal, emblem or logo of the institution, to the vehicle owner.

18 The license plate authorized by this section shall use the school colors of the institution, and those
19 colors shall be constructed upon the license plate using a process to ensure that the school emblem
20 shall be displayed upon the license plate in the clearest and most attractive manner possible. Such
21 license plates shall be made with fully reflective material with a common color scheme and
22 design, shall be clearly visible at night, and shall be aesthetically attractive, as prescribed by
23 section 301.130. The license plate authorized by this section shall be issued with a design
24 approved by both the institution of higher education and the advisory committee established in
25 section 301.129. A vehicle owner, who was previously issued a plate with an institutional
26 emblem authorized by this section and does not provide an emblem use authorization statement at
27 a subsequent time of registration, shall be issued a new plate which does not bear the institutional
28 emblem, as otherwise provided by law. The director of revenue shall make necessary rules and
29 regulations for the enforcement of this section, and shall design all necessary forms including

1 establishing a minimum number of license plates which can be issued with the authorized emblem
2 of a participating institution.

3 301.3150. 1. An organization, other than an organization seeking a special military
4 license plate or a collegiate or university plate, that seeks authorization to establish a new
5 specialty license plate shall initially petition the department of revenue by submitting the
6 following:

7 (1) An application in a form prescribed by the director for the particular specialty license
8 plate being sought, describing the proposed specialty license plate in general terms and have a
9 sponsor of at least one current member of the general assembly in the same legislative session in
10 which the application is reviewed pursuant to subsection 5 of section 21.795, RSMo. The
11 application may contain written testimony for support of this specialty plate;

12 (2) Each application submitted pursuant to this section shall be accompanied by a list of at
13 least two hundred potential applicants who plan to purchase the specialty plate if the specialty
14 plate is approved pursuant to this section;

15 (3) An application fee, not to exceed five thousand dollars, to defray the department's cost
16 for issuing, developing and programming the implementation of the specialty plate, if authorized;
17 and

18 (4) All moneys received by the department of revenue, for the reviewing and development
19 of specialty plates shall be deposited in the state treasury to the credit of the "Department of
20 Revenue Specialty Plate Fund" which is hereby created. The state treasurer shall be custodian of
21 the fund and shall make disbursements from the fund requested by the Missouri director of
22 revenue for personal services, expenses, and equipment required to prepare, review, develop, and
23 disseminate a new specialty plate and process the two hundred applications to be submitted once
24 the plate is approved and to refund deposits for the application of such specialty plate, if the
25 application is not approved by the joint committee on transportation oversight and for no other
26 purpose.

27 2. At the end of each state fiscal year, the director of revenue shall:

28 (1) Determine the amount of all moneys deposited into the department of revenue
29 specialty plate fund;

30 (2) Determine the amount of disbursements from the department of revenue specialty
31 plate fund which were made to produce the specialty plate and process the two hundred
32 applications; and

33 (3) Subtract the amount of disbursements from the income figure referred to in
34 subdivision (1) of this subsection and deliver this figure to the state treasurer.

35 3. The state treasurer shall transfer an amount of money equal to the figure provided by
36 the director of revenue from the department of revenue specialty plate fund to the state highway

1 department fund. An unexpended balance in the department of revenue specialty plate fund at the
2 end of the biennium not exceeding twenty-five thousand dollars shall be exempt from the
3 provisions of section 33.080 relating to transfer of unexpended balances to the general revenue
4 fund.

5 4. The documents and fees required pursuant to this section shall be submitted to the
6 department of revenue by July first prior to the next regular session of the general assembly to be
7 approved or denied by the joint committee on transportation oversight during that legislative
8 session.

9 5. The department of revenue shall give notice of any proposed specialty plate in a
10 manner reasonably calculated to advise the public of such proposal. Reasonable notice shall
11 include posting the proposal for the specialty plate on the department's official public website, and
12 making available copies of the specialty plate application to any representative of the news media
13 or public upon request and posting the application on a bulletin board or other prominent public
14 place which is easily accessible to the public and clearly designated for that purpose at the
15 principal office.

16 6. Adequate notice conforming with all the requirements of subsection 5 of this section
17 shall be given not less than four weeks, exclusive of weekends and holidays when the facility is
18 closed, after the submission of the application by the organization to the department of revenue.
19 Written or electronic testimony in support or opposition of the proposed specialty plate shall be
20 submitted to the department of revenue by November thirtieth of the year of filing of the original
21 proposal. All written testimony shall contain the printed name, signature, address, phone number,
22 and email address, if applicable, of the individual giving the testimony.

23 7. The department of revenue shall submit for approval all applications for the
24 development of specialty plates to the joint committee on transportation oversight during a regular
25 session of the general assembly for approval.

26 8. If the specialty license plate requested by an organization is approved by the joint
27 committee on transportation oversight, the organization shall submit the proposed art design for
28 the specialty license plate to the department as soon as practicable, but no later than sixty days
29 after the approval of the specialty license plate. If the specialty license plate requested by the
30 organization is not approved by the joint committee on transportation oversight, ninety-seven
31 percent of the application fee shall be refunded to the requesting organization.

32 9. An emblem-use authorization fee may be charged by the organization prior to the
33 issuance of an approved specialty plate. The organization's specialty plate proposal approved by
34 the joint committee on transportation oversight shall state what fee is required to obtain such
35 statement and if such fee is required annually or biennially, if the applicant has a two-year
36 registration. An organization applying for specialty plates shall authorize the use of its official

1 emblem to be affixed on multiyear personalized license plates within the plate area prescribed by
2 the director of revenue and as provided in this section. Any contribution to the organization
3 derived from the emblem-use contribution, except reasonable administrative costs, shall be used
4 solely for the purposes of the organization. Any member of the organization or nonmember, if
5 applicable, may annually apply for the use of the emblem, if applicable.

6 10. The department shall begin production and distribution of each new specialty license
7 plate within one year after approval of the specialty license plate by the joint committee on
8 transportation oversight.

9 11. The department shall issue a specialty license plate to the owner who meets the
10 requirements for issuance of the specialty plate for any motor vehicle such owner owns, either
11 solely or jointly, other than an apportioned motor vehicle or a commercial motor vehicle licensed
12 in excess of eighteen thousand pounds gross weight.

13 12. Each new or renewed application for an approved specialty license plate shall be made
14 to the department of revenue, accompanied by an additional fee of fifteen dollars and the
15 appropriate emblem-use authorization statement.

16 13. The appropriate registration fees, fifteen dollar specialty plate fee, processing fees and
17 documents otherwise required for the issuance of registration of the motor vehicle as set forth by
18 law must be submitted at the time the specialty plates are actually issued and renewed or as
19 otherwise provided by law. However, no additional fee for the personalization of this plate shall
20 be charged.

21 14. Once a specialty plate design is approved, a request for such plate may be made any
22 time during a registration period. If a request is made for a specialty license plate to replace a
23 current valid license plate, all documentation, credits, and fees provided for in this chapter when
24 replacing a current license plate shall apply.

25 15. A vehicle owner who was previously issued a plate with an organization emblem
26 authorized by this section, but who does not provide an emblem-use authorization statement at a
27 subsequent time of registration if required, shall be issued a new plate which does not bear the
28 organization's emblem, as otherwise provided by law.

29 16. Specialty license plates shall bear a design approved by the organization submitting
30 the original application for approval by the joint committee on transportation oversight. The
31 design shall be within the plate area prescribed by the director of revenue, and the designated
32 organization's name or slogan shall be in place of the words "SHOW-ME STATE". Such license
33 plates shall be made with fully reflective material with a common color scheme, shall be clearly
34 visible at night, shall have a reflective white background in the area of the plate configuration, and
35 shall be aesthetically attractive, as prescribed by section 301.130 and as provided in this section.
36 In addition to a design, the specialty license plates shall be in accordance with criteria and plate

1 design set forth in this chapter.

2 17. The department is authorized to discontinue the issuance and renewal of a specialty
3 license plate if the organization has stopped providing services and emblem-use authorization
4 statements are no longer being issued by the organization. Such organizations shall notify the
5 department immediately to discontinue the issuance of a specialty plate.

6 18. The organization that requested the specialty license plate shall not redesign the
7 specialty personalized license plate unless such organization pays the director in advance all
8 redesigned plate fees. All plate holders of such plates must pay the replacement fees prescribed in
9 section 301.300 for the replacement of the existing specialty plate. All other applicable license
10 plate fees in accordance with this chapter shall be required.”; and
11

2 Further amend said bill, Page 7, Section 302.060, Lines 88-99, by deleting all of said lines and
3 inserting in lieu thereof the following: "

4 “2. Any person whose license is reinstated under the provisions of subdivisions (9) and
5 (10) of subsection 1 of this section shall be required to file proof with the director of revenue that
6 any motor vehicle operated by the person is equipped with a functioning, certified ignition
7 interlock device as a required condition of reinstatement. The ignition interlock device required
8 for reinstatement under this subsection and for obtaining a limited driving privilege under
9 paragraph (a) or (b) of subdivision (8) of subsection 3 of section 302.309 shall have photo
10 identification technology and global positioning system features. The ignition interlock device
11 shall further be required to be maintained on all motor vehicles operated by the person for a period
12 of not less than six months immediately following the date of reinstatement. If the monthly
13 monitoring reports show that the ignition interlock device has registered any confirmed blood
14 alcohol concentration readings above the alcohol setpoint established by the department of
15 transportation or that the person has tampered with or circumvented the ignition interlock device,
16 then the period for which the person must maintain the ignition interlock device following the
17 date of reinstatement shall be extended for an additional six months. If the person fails to
18 maintain such proof with the director, the license shall be suspended for the remainder of the
19 six-month period or until proof as required by this section is filed with the director. Upon the

completion of the six-month period, the license shall be shown as reinstated, if the person is otherwise eligible.”; and

Further amend said bill and Section Page 8 by inserting after said line the following:

“302.304. 1. The director shall notify by ordinary mail any operator of the point value charged against the operator's record when the record shows four or more points have been accumulated in a twelve-month period.

2. In an action to suspend or revoke a license or driving privilege under this section points shall be accumulated on the date of conviction. No case file of any conviction for a driving violation for which points may be assessed pursuant to section 302.302 may be closed until such time as a copy of the record of such conviction is forwarded to the department of revenue.

3. The director shall suspend the license and driving privileges of any person whose driving record shows the driver has accumulated eight points in eighteen months.

4. The license and driving privilege of any person whose license and driving privilege have been suspended under the provisions of sections 302.010 to 302.540 except those persons whose license and driving privilege have been suspended under the provisions of subdivision (8) of subsection 1 of section 302.302 or has accumulated sufficient points together with a conviction under subdivision (10) of subsection 1 of section 302.302 and who has filed proof of financial responsibility with the department of revenue, in accordance with chapter 303, and is otherwise eligible, shall be reinstated as follows:

(1) In the case of an initial suspension, thirty days after the effective date of the suspension;

(2) In the case of a second suspension, sixty days after the effective date of the suspension;

(3) In the case of the third and subsequent suspensions, ninety days after the effective date of the suspension. Unless proof of financial responsibility is filed with the department of revenue,

2 a suspension shall continue in effect for two years from its effective date.

3 5. The period of suspension of the driver's license and driving privilege of any person
4 under the provisions of subdivision (8) of subsection 1 of section 302.302 or who has
5 accumulated sufficient points together with a conviction under subdivision (10) of subsection 1 of
6 section 302.302 shall be thirty days, followed by a sixty-day period of restricted driving privilege
7 as defined in section 302.010. Upon completion of such period of restricted driving privilege,
8 upon compliance with other requirements of law and upon filing of proof of financial
9 responsibility with the department of revenue, in accordance with chapter 303, the license and
10 driving privilege shall be reinstated. If a person, otherwise subject to the provisions of this
11 subsection, files proof of installation with the department of revenue that any vehicle operated by
12 such person is equipped with a functioning, certified ignition interlock device, then there shall be
13 no period of suspension and the person shall instead be subject to a ninety-day period of restricted
14 driving privilege. If the person fails to maintain such proof of the device with the director of
15 revenue as required, the restricted driving privilege shall be terminated. Upon completion of such
16 ninety-day period of restricted driving privilege, upon compliance with other requirements of law,
17 and upon filing of proof of financial responsibility with the department of revenue, in accordance
18 with chapter 303, the license and driving privilege shall be reinstated. However, if the monthly
19 monitoring reports during such ninety-day period indicate that the ignition interlock device has
20 registered a blood alcohol concentration level above the alcohol setpoint established by the
21 department of transportation or such reports indicate that the ignition interlock device has been
22 tampered with or circumvented, then the license and driving privilege of such person shall not be
23 reinstated until the person completes an additional ninety-day period of restricted driving privilege
24 without any such violations.

25 6. If the person fails to maintain proof of financial responsibility in accordance with
26 chapter 303, or, if applicable, if the person fails to maintain proof that any vehicle operated is
27 equipped with a functioning, certified ignition interlock device installed pursuant to subsection 5

2 of this section, the person's driving privilege and license shall be resuspended.

3 7. The director shall revoke the license and driving privilege of any person when the
4 person's driving record shows such person has accumulated twelve points in twelve months or
5 eighteen points in twenty-four months or twenty-four points in thirty-six months. The revocation
6 period of any person whose license and driving privilege have been revoked under the provisions
7 of sections 302.010 to 302.540 and who has filed proof of financial responsibility with the
8 department of revenue in accordance with chapter 303 and is otherwise eligible, shall be
9 terminated by a notice from the director of revenue after one year from the effective date of the
10 revocation. Unless proof of financial responsibility is filed with the department of revenue,
11 except as provided in subsection 2 of section 302.541, the revocation shall remain in effect for a
12 period of two years from its effective date. If the person fails to maintain proof of financial
13 responsibility in accordance with chapter 303, the person's license and driving privilege shall be
14 rerevoked. Any person whose license and driving privilege have been revoked under the
15 provisions of sections 302.010 to 302.540 shall, upon receipt of the notice of termination of the
16 revocation from the director, pass the complete driver examination and apply for a new license
17 before again operating a motor vehicle upon the highways of this state.

18 8. If, prior to conviction for an offense that would require suspension or revocation of a
19 person's license under the provisions of this section, the person's total points accumulated are
20 reduced, pursuant to the provisions of section 302.306, below the number of points required for
21 suspension or revocation pursuant to the provisions of this section, then the person's license shall
22 not be suspended or revoked until the necessary points are again obtained and accumulated.

23 9. If any person shall neglect or refuse to surrender the person's license, as provided
24 herein, the director shall direct the state highway patrol or any peace or police officer to secure
25 possession thereof and return it to the director.

26 10. Upon the issuance of a reinstatement or termination notice after a suspension or
27 revocation of any person's license and driving privilege under the provisions of sections 302.010

2 to 302.540, the accumulated point value shall be reduced to four points, except that the points of
3 any person serving as a member of the armed forces of the United States outside the limits of the
4 United States during a period of suspension or revocation shall be reduced to zero upon the date
5 of the reinstatement or termination of notice. It shall be the responsibility of such member of the
6 armed forces to submit copies of official orders to the director of revenue to substantiate such
7 overseas service. Any other provision of sections 302.010 to 302.540 to the contrary
8 notwithstanding, the effective date of the four points remaining on the record upon reinstatement
9 or termination shall be the date of the reinstatement or termination notice.

10 11. No credit toward reduction of points shall be given during periods of suspension or
11 revocation or any period of driving under a limited driving privilege granted by a court or the
12 director of revenue.

13 12. Any person or nonresident whose license or privilege to operate a motor vehicle in
14 this state has been suspended or revoked under this or any other law shall, before having the
15 license or privilege to operate a motor vehicle reinstated, pay to the director a reinstatement fee of
16 twenty dollars which shall be in addition to all other fees provided by law.

17 13. Notwithstanding any other provision of law to the contrary, if after two years from the
18 effective date of any suspension or revocation issued under this chapter, the person or nonresident
19 has not paid the reinstatement fee of twenty dollars, the director shall reinstate such license or
20 privilege to operate a motor vehicle in this state.

21 14. No person who has had a license to operate a motor vehicle suspended or revoked as a
22 result of an assessment of points for a violation under subdivision (8), (9) or (10) of subsection 1
23 of section 302.302 shall have that license reinstated until such person has participated in and
24 successfully completed a substance abuse traffic offender program defined in section 302.010, or
25 a program determined to be comparable by the department of mental health. Assignment
26 recommendations, based upon the needs assessment as described in subdivision (22) of section
27 302.010, shall be delivered in writing to the person with written notice that the person is entitled

2 to have such assignment recommendations reviewed by the court if the person objects to the
3 recommendations. The person may file a motion in the associate division of the circuit court of
4 the county in which such assignment was given, on a printed form provided by the state courts
5 administrator, to have the court hear and determine such motion pursuant to the provisions of
6 chapter 517. The motion shall name the person or entity making the needs assessment as the
7 respondent and a copy of the motion shall be served upon the respondent in any manner allowed
8 by law. Upon hearing the motion, the court may modify or waive any assignment
9 recommendation that the court determines to be unwarranted based upon a review of the needs
10 assessment, the person's driving record, the circumstances surrounding the offense, and the
11 likelihood of the person committing a like offense in the future, except that the court may modify
12 but may not waive the assignment to an education or rehabilitation program of a person
13 determined to be a prior or persistent offender as defined in section 577.023 or of a person
14 determined to have operated a motor vehicle with fifteen-hundredths of one percent or more by
15 weight in such person's blood. Compliance with the court determination of the motion shall
16 satisfy the provisions of this section for the purpose of reinstating such person's license to operate
17 a motor vehicle. The respondent's personal appearance at any hearing conducted pursuant to this
18 subsection shall not be necessary unless directed by the court.

19 15. The fees for the program authorized in subsection 14 of this section, or a portion
20 thereof to be determined by the department of mental health, shall be paid by the person enrolled
21 in the program. Any person who is enrolled in the program shall pay, in addition to any fee
22 charged for the program, a supplemental fee in an amount to be determined by the department of
23 mental health for the purposes of funding the substance abuse traffic offender program defined in
24 section 302.010 and section 577.001 or a program determined to be comparable by the department
25 of mental health. The administrator of the program shall remit to the division of alcohol and drug
26 abuse of the department of mental health on or before the fifteenth day of each month the
27 supplemental fee for all persons enrolled in the program, less two percent for administrative costs.

Interest shall be charged on any unpaid balance of the supplemental fees due the division of alcohol and drug abuse pursuant to this section and shall accrue at a rate not to exceed the annual rate established pursuant to the provisions of section 32.065, plus three percentage points. The supplemental fees and any interest received by the department of mental health pursuant to this section shall be deposited in the mental health earnings fund which is created in section 630.053.

16. Any administrator who fails to remit to the division of alcohol and drug abuse of the department of mental health the supplemental fees and interest for all persons enrolled in the program pursuant to this section shall be subject to a penalty equal to the amount of interest accrued on the supplemental fees due the division pursuant to this section. If the supplemental fees, interest, and penalties are not remitted to the division of alcohol and drug abuse of the department of mental health within six months of the due date, the attorney general of the state of Missouri shall initiate appropriate action of the collection of said fees and interest accrued. The court shall assess attorney fees and court costs against any delinquent program.

17. Any person who has had a license to operate a motor vehicle suspended or revoked as a result of an assessment of points for a violation under subdivision (9) of subsection 1 of section 302.302 shall be required to file proof with the director of revenue that any motor vehicle operated by the person is equipped with a functioning, certified ignition interlock device as a required condition of reinstatement of the license. The ignition interlock device shall further be required to be maintained on all motor vehicles operated by the person for a period of not less than six months immediately following the date of reinstatement. If the monthly monitoring reports show that the ignition interlock device has registered any confirmed blood alcohol concentration readings above the alcohol setpoint established by the department of transportation or that the person has tampered with or circumvented the ignition interlock device, then the period for which the person must maintain the ignition interlock device following the date of reinstatement shall be extended for an additional six months. If the person fails to maintain such proof with the director, the license shall be resuspended or revoked and the person shall be guilty of a class A

2 misdemeanor.”; and

3
4 Further amend said bill, Pages 9 and 10 , Section 302.309, Lines 47-73 by deleting said lines and
5 inserting in lieu thereof the following:

6 “(4) No limited driving privilege shall be issued to any person otherwise eligible under the
7 provisions of paragraph (a) of subdivision (6) of this subsection on a license revocation resulting
8 from a conviction under subdivision (9) of subsection 1 of section 302.302, or a license denial
9 under paragraph (a) or (b) of subdivision (8) of this subsection, or a license revocation under
10 paragraph (h) of subdivision (6) of this subsection, until the applicant has filed proof with the
11 department of revenue that any motor vehicle operated by the person is equipped with a
12 functioning, certified ignition interlock device as a required condition of limited driving privilege.
13 The ignition interlock device required for obtaining a limited driving privilege under paragraph (a)
14 or (b) of subdivision (8) of this subsection shall have photo identification technology and global
15 positioning system features.

16 (5) The court order or the director's grant of the limited or restricted driving privilege shall
17 indicate the termination date of the privilege, which shall be not later than the end of the period of
18 suspension or revocation. The court order or the director's grant of the limited or restricted
19 driving privilege shall also indicate whether a functioning, certified ignition interlock device is
20 required as a condition of operating a motor vehicle with the limited driving privilege. A copy of
21 any court order shall be sent by the clerk of the court to the director, and a copy shall be given to
22 the driver which shall be carried by the driver whenever such driver operates a motor vehicle. The
23 director of revenue upon granting a limited driving privilege shall give a copy of the limited
24 driving privilege to the applicant. The applicant shall carry a copy of the limited driving privilege
25 while operating a motor vehicle. A conviction which results in the assessment of points pursuant
26 to section 302.302, other than a violation of a municipal stop sign ordinance where no accident is
27 involved, against a driver who is operating a vehicle pursuant to a limited driving privilege

terminates the privilege, as of the date the points are assessed to the person's driving record. If the date of arrest is prior to the issuance of the limited driving privilege, the privilege shall not be terminated. Failure of the driver to maintain proof of financial responsibility, as required by chapter 303, or to maintain proof of installation of a functioning, certified ignition interlock device, as applicable, shall terminate the privilege. The director shall notify by ordinary mail the driver whose privilege is so terminated. “; and

Further amend said bill and section, Page 10, Lines 96-102 by deleting said lines and inserting in lieu thereof the following:

“(f) Violation more than once of the provisions of section 577.041 or a similar implied consent law of any other state; [or]

(g) Due to a suspension pursuant to subsection 2 of section 302.525 and who has not completed the first thirty days of such suspension, provided the person is not otherwise ineligible for a limited driving privilege; or

(h) Due to a revocation pursuant to subsection 2 of section 302.525 if such person has not completed the first forty-five days of such revocation, provided the person is not otherwise ineligible for a limited driving privilege.”; and

Further amend said bill and section, Page 11, Lines 116 and 117 by deleting the words “three years” and inserting in lieu thereof the words “ [three years] forty-five days”; and

Further amend said bill and section, Page 11, Line 120 by deleting the words “three years” and inserting in lieu thereof the words “ [three years] forty-five days”; and

Further amend said bill and section, Page 11, Line 138 by deleting the words “two years” and inserting in lieu thereof the words “ [two years] forty-five days”; and

Further amend said bill and section, Page 12, Line 142 by deleting the words “two years” and inserting in lieu thereof the words “ [two years] forty-five days”; and

Further amend said bill and section, Page 13, Line 199 by inserting after all of said line the following:

"302.525. 1. The license suspension or revocation shall become effective fifteen days after the subject person has received the notice of suspension or revocation as provided in section 302.520, or is deemed to have received the notice of suspension or revocation by mail as provided in section 302.515.

If a request for a hearing is received by or postmarked to the department within that fifteen-day period, the effective date of the suspension or revocation shall be stayed until a final order is issued following the hearing; provided, that any delay in the hearing which is caused or requested by the subject person or counsel representing that person without good cause shown shall not result in a stay of the suspension or revocation during the period of delay.

2. The period of license suspension or revocation under this section shall be as follows:

(1) If the person's driving record shows no prior alcohol-related enforcement contacts during the immediately preceding five years, the period of suspension shall be thirty days after the effective date of suspension, followed by a sixty-day period of restricted driving privilege as defined in section 302.010 and issued by the director of revenue. The restricted driving privilege shall not be issued until he or she has filed proof of financial responsibility with the department of revenue, in accordance with chapter 303, and is otherwise eligible. The restricted driving privilege shall indicate whether a functioning, certified ignition interlock device is required as a condition of operating a motor vehicle. A copy of the restricted driving privilege shall be given to the person and such person shall carry a copy of the restricted driving privilege while operating a motor vehicle. In no case shall restricted driving privileges be issued pursuant to this section or section 302.535 until the person has completed the first thirty days of a suspension under this

2 section. If a person, otherwise subject to the provisions of this subdivision files proof of
3 installation with the department of revenue that any vehicle operated is equipped with a
4 functioning, certified ignition interlock device, then there shall be no period of suspension and the
5 person shall instead be subject to a ninety-day period of restricted driving privilege. Upon
6 completion of such ninety-day period of restricted driving privilege, upon compliance with other
7 requirements of law, and upon filing of proof of financial responsibility with the department of
8 revenue, in accordance with chapter 303, the license and driving privilege shall be reinstated.
9 However, if the monthly monitoring reports during such ninety-day period indicate that the
10 ignition interlock device has registered a blood alcohol concentration level above the alcohol
11 setpoint established by the department of transportation or such reports indicate that the ignition
12 interlock device has been tampered with or circumvented, then the license and driving privilege of
13 such person shall not be reinstated until the person completes an additional ninety-day period of
14 restricted driving privilege without any such violations. If the person fails to maintain such proof
15 of the device with the director of revenue as required, the restricted driving privilege shall be
16 terminated;

17 (2) The period of revocation shall be one year if the person's driving record shows one or
18 more prior alcohol-related enforcement contacts during the immediately preceding five years;

19 (3) In no case shall restricted driving privileges be issued under this section to any person
20 whose driving record shows one or more prior alcohol-related enforcement contacts until the
21 person has completed the first thirty days of a suspension under this section and has filed proof
22 with the department of revenue that any motor vehicle operated by the person is equipped with a
23 functioning, certified ignition interlock device as a required condition of the restricted driving
24 privilege. If the person fails to maintain such proof the restricted driving privilege shall be
25 terminated.

26 3. For purposes of this section, "alcohol-related enforcement contacts" shall include any
27 suspension or revocation under sections 302.500 to 302.540, any suspension or revocation entered

2 in this or any other state for a refusal to submit to chemical testing under an implied consent law,
3 and any conviction in this or any other state for a violation which involves driving while
4 intoxicated, driving while under the influence of drugs or alcohol, or driving a vehicle while
5 having an unlawful alcohol concentration.

6 4. Where a license is suspended or revoked under this section and the person is also
7 convicted on charges arising out of the same occurrence for a violation of section 577.010 or
8 577.012 or for a violation of any county or municipal ordinance prohibiting driving while
9 intoxicated or alcohol-related traffic offense, both the suspension or revocation under this section
10 and any other suspension or revocation arising from such convictions shall be imposed, but the
11 period of suspension or revocation under sections 302.500 to 302.540 shall be credited against any
12 other suspension or revocation arising from such convictions, and the total period of suspension or
13 revocation shall not exceed the longer of the two suspension or revocation periods.

14 5. Any person who has had a license to operate a motor vehicle revoked under this section
15 or suspended under this section with one or more prior alcohol-related enforcement contacts
16 showing on their driver record shall be required to file proof with the director of revenue that any
17 motor vehicle operated by that person is equipped with a functioning, certified ignition interlock
18 device as a required condition of reinstatement. The ignition interlock device shall further be
19 required to be maintained on all motor vehicles operated by the person for a period of not less
20 than six months immediately following the date of reinstatement. If the monthly monitoring
21 reports show that the ignition interlock device has registered any confirmed blood alcohol
22 concentration readings above the alcohol setpoint established by the department of transportation
23 or that the person has tampered with or circumvented the ignition interlock device, then the period
24 for which the person must maintain the ignition interlock device following the date of
25 reinstatement shall be extended for an additional six months. If the person fails to maintain such
26 proof with the director, the license shall be resuspended or revoked, as applicable.

27 Section C. The repeal and reenactment of sections 302.304, 302.309, and 302.525 shall

2 become effective July 1, 2013."; and

3

4 Further amend said bill by amending the title, enacting clause, and intersectional references
5 accordingly.