

HOUSE \_\_\_\_\_ AMENDMENT NO. \_\_\_\_\_

Offered By

AMEND Senate Bill No. 893, Page 7, Section 302.060, Line 92, by inserting after the period “.” on said line, the following:

“The ignition interlock device required for reinstatement under this subsection and for obtaining a limited driving privilege under paragraph (a) or (b) of subdivision (8) of subsection 3 of section 302.309 shall have photo identification technology and global positioning system features.

Further amend said bill, page, and section Line 94, by inserting after the period “.” on said line, the following:

“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.”; and

Further amend said bill, Page 8, Section 302.060, Line 119, by inserting after all of said section and 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

1 302.302 or has accumulated sufficient points together with a conviction under subdivision (10) of  
2 subsection 1 of section 302.302 and who has filed proof of financial responsibility with the department of  
3 revenue, in accordance with chapter 303, and is otherwise eligible, shall be reinstated as follows:

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

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

6 (3) In the case of the third and subsequent suspensions, ninety days after the effective date of the  
7 suspension. Unless proof of financial responsibility is filed with the department of revenue, a suspension  
8 shall continue in effect for two years from its effective date.

9 5. The period of suspension of the driver's license and driving privilege of any person under the  
10 provisions of subdivision (8) of subsection 1 of section 302.302 or who has accumulated sufficient points  
11 together with a conviction under subdivision (10) of subsection 1 of section 302.302 shall be thirty days,  
12 followed by a sixty-day period of restricted driving privilege as defined in section 302.010. Upon  
13 completion of such period of restricted driving privilege, upon compliance with other requirements of law  
14 and upon filing of proof of financial responsibility with the department of revenue, in accordance with  
15 chapter 303, the license and driving privilege shall be reinstated. If a person, otherwise subject to the  
16 provisions of this subsection, files proof of installation with the department of revenue that any vehicle  
17 operated by such person is equipped with a functioning, certified ignition interlock device, then the period  
18 of suspension shall be fifteen days, followed by a seventy-five day period of restricted driving privilege.  
19 If the person fails to maintain such proof of the device with the director of revenue as required, the  
20 restricted driving privilege shall be terminated. Upon completion of such seventy-five-day period of  
21 restricted driving privilege, upon compliance with other requirements of law, and upon filing of proof of  
22 financial responsibility with the department of revenue, in accordance with chapter 303, the license and  
23 driving privilege shall be reinstated. However, if the monthly monitoring reports during such seventy-five  
24 day period indicate that the ignition interlock device has registered a blood alcohol concentration level  
25 above the alcohol setpoint established by the department of transportation or such reports indicate that the  
26 ignition interlock device has been tampered with or circumvented, then the license and driving privilege of  
27 such person shall not be reinstated until the person completes an additional seventy-five day period of  
28 restricted driving privilege without any such violations.

29 6. If the person fails to maintain proof of financial responsibility in accordance with chapter 303,  
30 or, if applicable, if the person fails to maintain proof that any vehicle operated is equipped with a  
31 functioning, certified ignition interlock device installed pursuant to subsection 5 of this section, the  
32 person's driving privilege and license shall be resuspended.

33 7. The director shall revoke the license and driving privilege of any person when the person's  
34 driving record shows such person has accumulated twelve points in twelve months or eighteen points in  
35 twenty-four months or twenty-four points in thirty-six months. The revocation period of any person  
36 whose license and driving privilege have been revoked under the provisions of sections 302.010 to  
37 302.540 and who has filed proof of financial responsibility with the department of revenue in accordance  
38 with chapter 303 and is otherwise eligible, shall be terminated by a notice from the director of revenue  
39 after one year from the effective date of the revocation. Unless proof of financial responsibility is filed  
40 with the department of revenue, except as provided in subsection 2 of section 302.541, the revocation

1 shall remain in effect for a period of two years from its effective date. If the person fails to maintain proof  
2 of financial responsibility in accordance with chapter 303, the person's license and driving privilege shall  
3 be rerevoked. Any person whose license and driving privilege have been revoked under the provisions of  
4 sections 302.010 to 302.540 shall, upon receipt of the notice of termination of the revocation from the  
5 director, pass the complete driver examination and apply for a new license before again operating a motor  
6 vehicle upon the highways of this state.

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

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

15 10. Upon the issuance of a reinstatement or termination notice after a suspension or revocation of  
16 any person's license and driving privilege under the provisions of sections 302.010 to 302.540, the  
17 accumulated point value shall be reduced to four points, except that the points of any person serving as a  
18 member of the armed forces of the United States outside the limits of the United States during a period of  
19 suspension or revocation shall be reduced to zero upon the date of the reinstatement or termination of  
20 notice. It shall be the responsibility of such member of the armed forces to submit copies of official  
21 orders to the director of revenue to substantiate such overseas service. Any other provision of sections  
22 302.010 to 302.540 to the contrary notwithstanding, the effective date of the four points remaining on the  
23 record upon reinstatement or termination shall be the date of the reinstatement or termination notice.

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

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

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

35 14. No person who has had a license to operate a motor vehicle suspended or revoked as a result  
36 of an assessment of points for a violation under subdivision (8), (9) or (10) of subsection 1 of section  
37 302.302 shall have that license reinstated until such person has participated in and successfully completed  
38 a substance abuse traffic offender program defined in section 302.010, or a program determined to be  
39 comparable by the department of mental health. Assignment recommendations, based upon the needs  
40 assessment as described in subdivision (22) of section 302.010, shall be delivered in writing to the person

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

17 15. The fees for the program authorized in subsection 14 of this section, or a portion thereof to be  
18 determined by the department of mental health, shall be paid by the person enrolled in the program. Any  
19 person who is enrolled in the program shall pay, in addition to any fee charged for the program, a  
20 supplemental fee in an amount to be determined by the department of mental health for the purposes of  
21 funding the substance abuse traffic offender program defined in section 302.010 and section 577.001 or a  
22 program determined to be comparable by the department of mental health. The administrator of the  
23 program shall remit to the division of alcohol and drug abuse of the department of mental health on or  
24 before the fifteenth day of each month the supplemental fee for all persons enrolled in the program, less  
25 two percent for administrative costs. Interest shall be charged on any unpaid balance of the supplemental  
26 fees due the division of alcohol and drug abuse pursuant to this section and shall accrue at a rate not to  
27 exceed the annual rate established pursuant to the provisions of section 32.065, plus three percentage  
28 points. The supplemental fees and any interest received by the department of mental health pursuant to  
29 this section shall be deposited in the mental health earnings fund which is created in section 630.053.

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

38 17. Any person who has had a license to operate a motor vehicle suspended or revoked as a result  
39 of an assessment of points for a violation under subdivision (9) of subsection 1 of section 302.302 shall be  
40 required to file proof with the director of revenue that any motor vehicle operated by the person is

1 equipped with a functioning, certified ignition interlock device as a required condition of reinstatement of  
2 the license. The ignition interlock device shall further be required to be maintained on all motor vehicles  
3 operated by the person for a period of not less than six months immediately following the date of  
4 reinstatement. If the monthly monitoring reports show that the ignition interlock device has registered any  
5 confirmed blood alcohol concentration readings above the alcohol setpoint established by the department  
6 of transportation or that the person has tampered with or circumvented the ignition interlock device, then  
7 the period for which the person must maintain the ignition interlock device following the date of  
8 reinstatement shall be extended for an additional six months. If the person fails to maintain such proof  
9 with the director, the license shall be resuspended or revoked and the person shall be guilty of a class A  
10 misdemeanor."; and  
11

12 Further amend said bill, Pages 8-13, Section 302.309, Lines 1-199, by deleting all of said section and lines  
13 from the bill and inserting in lieu thereof, the following:  
14

15 "302.309. 1. Whenever any license is suspended pursuant to sections 302.302 to 302.309, the  
16 director of revenue shall return the license to the operator immediately upon the termination of the period  
17 of suspension and upon compliance with the requirements of chapter 303.

18 2. Any operator whose license is revoked pursuant to these sections, upon the termination of the  
19 period of revocation, shall apply for a new license in the manner prescribed by law.

20 3. (1) All circuit courts, the director of revenue, or a commissioner operating under section  
21 478.007 shall have jurisdiction to hear applications and make eligibility determinations granting limited  
22 driving privileges. Any application may be made in writing to the director of revenue and the person's  
23 reasons for requesting the limited driving privilege shall be made therein.

24 (2) When any court of record having jurisdiction or the director of revenue finds that an operator  
25 is required to operate a motor vehicle in connection with any of the following:

26 (a) A business, occupation, or employment;  
27 (b) Seeking medical treatment for such operator;  
28 (c) Attending school or other institution of higher education;  
29 (d) Attending alcohol or drug treatment programs;  
30 (e) Seeking the required services of a certified ignition interlock device provider; or  
31 (f) Any other circumstance the court or director finds would create an undue hardship on the  
32 operator; the court or director may grant such limited driving privilege as the circumstances of the case  
33 justify if the court or director finds undue hardship would result to the individual, and while so operating a  
34 motor vehicle within the restrictions and limitations of the limited driving privilege the driver shall not be  
35 guilty of operating a motor vehicle without a valid license.

36 (3) An operator may make application to the proper court in the county in which such operator  
37 resides or in the county in which is located the operator's principal place of business or employment. Any  
38 application for a limited driving privilege made to a circuit court shall name the director as a party  
39 defendant and shall be served upon the director prior to the grant of any limited privilege, and shall be  
40 accompanied by a copy of the applicant's driving record as certified by the director. Any applicant for a

1 limited driving privilege shall have on file with the department of revenue proof of financial responsibility  
2 as required by chapter 303. Any application by a person who transports persons or property as classified  
3 in section 302.015 may be accompanied by proof of financial responsibility as required by chapter 303,  
4 but if proof of financial responsibility does not accompany the application, or if the applicant does not  
5 have on file with the department of revenue proof of financial responsibility, the court or the director has  
6 discretion to grant the limited driving privilege to the person solely for the purpose of operating a vehicle  
7 whose owner has complied with chapter 303 for that vehicle, and the limited driving privilege must state  
8 such restriction. When operating such vehicle under such restriction the person shall carry proof that the  
9 owner has complied with chapter 303 for that vehicle.

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

19 (5) The court order or the director's grant of the limited or restricted driving privilege shall  
20 indicate the termination date of the privilege, which shall be not later than the end of the period of  
21 suspension or revocation. The court order or the director's grant of the limited or restricted driving  
22 privilege shall also indicate whether a functioning, certified ignition interlock device is required as a  
23 condition of operating a motor vehicle with the limited driving privilege. A copy of any court order shall  
24 be sent by the clerk of the court to the director, and a copy shall be given to the driver which shall be  
25 carried by the driver whenever such driver operates a motor vehicle. The director of revenue upon  
26 granting a limited driving privilege shall give a copy of the limited driving privilege to the applicant. The  
27 applicant shall carry a copy of the limited driving privilege while operating a motor vehicle. A conviction  
28 which results in the assessment of points pursuant to section 302.302, other than a violation of a municipal  
29 stop sign ordinance where no accident is involved, against a driver who is operating a vehicle pursuant to  
30 a limited driving privilege terminates the privilege, as of the date the points are assessed to the person's  
31 driving record. If the date of arrest is prior to the issuance of the limited driving privilege, the privilege  
32 shall not be terminated. Failure of the driver to maintain proof of financial responsibility, as required by  
33 chapter 303, or to maintain proof of installation of a functioning, certified ignition interlock device, as  
34 applicable, shall terminate the privilege. The director shall notify by ordinary mail the driver whose  
35 privilege is so terminated.

36 (6) Except as provided in subdivision (8) of this subsection, no person is eligible to receive a  
37 limited driving privilege who at the time of application for a limited driving privilege has previously been  
38 granted such a privilege within the immediately preceding five years, or whose license has been  
39 suspended or revoked for the following reasons:

40 (a) A conviction of violating the provisions of section 577.010 or 577.012, or any similar

1 provision of any federal or state law, or a municipal or county law where the judge in such case was an  
2 attorney and the defendant was represented by or waived the right to an attorney in writing, until the  
3 person has completed the first thirty days of a suspension or revocation imposed pursuant to this chapter;

4 (b) A conviction of any felony in the commission of which a motor vehicle was used;

5 (c) Ineligibility for a license because of the provisions of subdivision (1), (2), (4), (5), (6), (7),  
6 (8), (9), (10) or (11) of section 302.060;

7 (d) Because of operating a motor vehicle under the influence of narcotic drugs, a controlled  
8 substance as defined in chapter 195, or having left the scene of an accident as provided in section 577.060;

9 (e) Due to a revocation for the first time for failure to submit to a chemical test pursuant to  
10 section 577.041 or due to a refusal to submit to a chemical test in any other state, if such person has not  
11 completed the first ninety days of such revocation;

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

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

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

20 (7) No person who possesses a commercial driver's license shall receive a limited driving  
21 privilege issued for the purpose of operating a commercial motor vehicle if such person's driving privilege  
22 is suspended, revoked, canceled, denied, or disqualified. Nothing in this section shall prohibit the  
23 issuance of a limited driving privilege for the purpose of operating a noncommercial motor vehicle  
24 provided that pursuant to the provisions of this section, the applicant is not otherwise ineligible for a  
25 limited driving privilege.

26 (8) (a) Provided that pursuant to the provisions of this section, the applicant is not otherwise  
27 ineligible for a limited driving privilege, a circuit court or the director may, in the manner prescribed in  
28 this subsection, allow a person who has had such person's license to operate a motor vehicle revoked  
29 where that person cannot obtain a new license for a period of ten years, as prescribed in subdivision (9) of  
30 section 302.060, to apply for a limited driving privilege pursuant to this subsection if such person has  
31 served at least [three years] forty-five days of such disqualification or revocation. Such person shall  
32 present evidence satisfactory to the court or the director that such person has not been convicted of any  
33 offense related to alcohol, controlled substances or drugs during the preceding [three years] forty-five  
34 days and that the person's habits and conduct show that the person no longer poses a threat to the public  
35 safety of this state.

36 (b) Provided that pursuant to the provisions of this section, the applicant is not otherwise  
37 ineligible for a limited driving privilege or convicted of involuntary manslaughter while operating a motor  
38 vehicle in an intoxicated condition, a circuit court or the director may, in the manner prescribed in this  
39 subsection, allow a person who has had such person's license to operate a motor vehicle revoked where  
40 that person cannot obtain a new license for a period of five years because of two convictions of driving

1 while intoxicated, as prescribed in subdivision (10) of section 302.060, to apply for a limited driving  
2 privilege pursuant to this subsection if such person has served at least [two years] forty-five days of such  
3 disqualification or revocation. Such person shall present evidence satisfactory to the court or the director  
4 that such person has not been convicted of any offense related to alcohol, controlled substances or drugs  
5 during the preceding [two years] forty-five days and that the person's habits and conduct show that the  
6 person no longer poses a threat to the public safety of this state. Any person who is denied a license  
7 permanently in this state because of an alcohol-related conviction subsequent to a restoration of such  
8 person's driving privileges pursuant to subdivision (9) of section 302.060 shall not be eligible for limited  
9 driving privilege pursuant to the provisions of this subdivision.

10 (9) A DWI docket or court established under section 478.007 may grant a limited driving  
11 privilege to a participant in or graduate of the program who would otherwise be ineligible for such  
12 privilege under another provision of law. The DWI docket or court shall not grant a limited driving  
13 privilege to a participant during his or her initial forty-five days of participation.

14 4. Any person who has received notice of denial of a request of limited driving privilege by the  
15 director of revenue may make a request for a review of the director's determination in the circuit court of  
16 the county in which the person resides or the county in which is located the person's principal place of  
17 business or employment within thirty days of the date of mailing of the notice of denial. Such review  
18 shall be based upon the records of the department of revenue and other competent evidence and shall be  
19 limited to a review of whether the applicant was statutorily entitled to the limited driving privilege.

20 5. The director of revenue shall promulgate rules and regulations necessary to carry out the  
21 provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is  
22 created under the authority delegated in this section shall become effective only if it complies with and is  
23 subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter  
24 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to  
25 review, to delay the effective date or to disapprove and annul a rule are subsequently held  
26 unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28,  
27 2001, shall be invalid and void."; and  
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30 Further amend said bill, Page 13, Section 302.309, Line 199, by inserting after all of said section and line,  
31 the following:  
32

33 "302.525. 1. The license suspension or revocation shall become effective fifteen days after the  
34 subject person has received the notice of suspension or revocation as provided in section 302.520, or is  
35 deemed to have received the notice of suspension or revocation by mail as provided in section 302.515.  
36 If a request for a hearing is received by or postmarked to the department within that fifteen-day period, the  
37 effective date of the suspension or revocation shall be stayed until a final order is issued following the  
38 hearing; provided, that any delay in the hearing which is caused or requested by the subject person or  
39 counsel representing that person without good cause shown shall not result in a stay of the suspension or  
40 revocation during the period of delay.



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

2           (1) If the person's driving record shows no prior alcohol-related enforcement contacts during the  
3 immediately preceding five years, the period of suspension shall be thirty days after the effective date of  
4 suspension, followed by a sixty-day period of restricted driving privilege as defined in section 302.010  
5 and issued by the director of revenue. The restricted driving privilege shall not be issued until he or she  
6 has filed proof of financial responsibility with the department of revenue, in accordance with chapter 303,  
7 and is otherwise eligible. The restricted driving privilege shall indicate whether a functioning, certified  
8 ignition interlock device is required as a condition of operating a motor vehicle. A copy of the restricted  
9 driving privilege shall be given to the person and such person shall carry a copy of the restricted driving  
10 privilege while operating a motor vehicle. In no case shall restricted driving privileges be issued pursuant  
11 to this section or section 302.535 until the person has completed the first thirty days of a suspension under  
12 this section. If a person, otherwise subject to the provisions of this subdivision files proof of installation  
13 with the department of revenue that any vehicle operated is equipped with a functioning, certified ignition  
14 interlock device, then the period of suspension shall be fifteen days, followed by a seventy-five day period  
15 of restricted driving privilege. Upon completion of such seventy-five day period of restricted driving  
16 privilege, upon compliance with other requirements of law, and upon filing of proof of financial  
17 responsibility with the department of revenue, in accordance with chapter 303, the license and driving  
18 privilege shall be reinstated. However, if the monthly monitoring reports during such seventy-five day  
19 period indicate that the ignition interlock device has registered a blood alcohol concentration level above  
20 the alcohol setpoint established by the department of transportation or such reports indicate that the  
21 ignition interlock device has been tampered with or circumvented, then the license and driving privilege of  
22 such person shall not be reinstated until the person completes an additional seventy-five day period of  
23 restricted driving privilege without any such violations. If the person fails to maintain such proof of the  
24 device with the director of revenue as required, the restricted driving privilege shall be terminated;

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

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

33           3. For purposes of this section, "alcohol-related enforcement contacts" shall include any  
34 suspension or revocation under sections 302.500 to 302.540, any suspension or revocation entered in this  
35 or any other state for a refusal to submit to chemical testing under an implied consent law, and any  
36 conviction in this or any other state for a violation which involves driving while intoxicated, driving while  
37 under the influence of drugs or alcohol, or driving a vehicle while having an unlawful alcohol  
38 concentration.

39           4. Where a license is suspended or revoked under this section and the person is also convicted on  
40 charges arising out of the same occurrence for a violation of section 577.010 or 577.012 or for a violation

1 of any county or municipal ordinance prohibiting driving while intoxicated or alcohol-related traffic  
2 offense, both the suspension or revocation under this section and any other suspension or revocation  
3 arising from such convictions shall be imposed, but the period of suspension or revocation under sections  
4 302.500 to 302.540 shall be credited against any other suspension or revocation arising from such  
5 convictions, and the total period of suspension or revocation shall not exceed the longer of the two  
6 suspension or revocation periods.

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

20 Further amend said bill, Page 13, Section 302.309, Line 199, by inserting after all of said section and line,  
21 the following:  
22

23 "Section B. The repeal and reenactment of sections 302.304, 302.309, and 302.525 shall become  
24 effective October 1, 2013."; and  
25

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