

SECOND REGULAR SESSION

HOUSE BILL NO. 1257

97TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE WILSON.

5052H.011

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To repeal section 304.670, RSMo, and to enact in lieu thereof one new section relating to permissible law enforcement agency collections.

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

Section A. Section 304.670, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 304.670, to read as follows:

304.670. 1. The highway patrol and any local law enforcement agency may collect, correlate and maintain the following information regarding traffic law enforcement:

(1) The number of drivers stopped for routine traffic enforcement and whether or not a citation or warning was issued;

(2) Identifying characteristics of the drivers stopped, including race, ethnicity, age and gender;

(3) The alleged violation that led to the stop;

(4) Whether a search was instituted as a result of the stop;

(5) Whether the vehicle, personal effects, driver or passengers were searched, and the race, ethnicity, age and gender of any person searched;

(6) Whether the search was conducted pursuant to consent, probable cause or reasonable suspicion to suspect a crime, including the basis for the request for consent, or the circumstances establishing probable cause or reasonable suspicion;

(7) Whether any contraband was found and the type and amount of any contraband;

(8) Whether an arrest was made;

(9) Whether any property was seized and a description of such property;

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.

17 (10) Whether the officers making the stop encountered any physical resistance from the
18 driver or passengers;

19 (11) Whether the officers making the stop engaged in the use of force against the driver
20 or any passengers;

21 (12) Whether the circumstances surrounding the stop were the subject of any
22 investigation, and the results of such investigation.

23 2. The information to be collected pursuant to subsection 1 of this section need not be
24 collected in connection with roadblocks, vehicle checks or checkpoints, except when such stops
25 result in a warning, search, seizure or arrest.

26 3. The highway patrol shall conduct analyses of the information collected pursuant to
27 this section to determine whether law enforcement officers are using profiles in law enforcement
28 activities.

29 **4. Nothing in this section shall permit any member of the highway patrol or local**
30 **law enforcement agency or employee of the national highway traffic safety administration**
31 **to collect breath, blood, or saliva samples from motorists stopped at a roadblock, vehicle**
32 **check, or checkpoint in order to use as research for any transportation-related study or**
33 **survey.**

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