

House \_\_\_\_\_ Amendment NO. \_\_\_\_\_

Offered By \_\_\_\_\_

1 AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for  
2 Senate Bill No. 572, Page 9, Section 82.148, Line 5, by inserting after all of said section and line  
3 the following:  
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5 "476.385. 1. The judges of the supreme court may appoint a committee consisting of at  
6 least seven associate circuit judges, who shall meet en banc and establish and maintain a schedule of  
7 fines to be paid for violations of sections 210.104, 577.070, and 577.073, and chapters 252, 301,  
8 302, 304, 306, 307 and 390, with such fines increasing in proportion to the severity of the violation.  
9 The associate circuit judges of each county may meet en banc and adopt the schedule of fines and  
10 participation in the centralized bureau pursuant to this section. Notice of such adoption and  
11 participation shall be given in the manner provided by supreme court rule. Upon order of the  
12 supreme court, the associate circuit judges of each county may meet en banc and establish and  
13 maintain a schedule of fines to be paid for violations of municipal ordinances for cities, towns and  
14 villages electing to have violations of its municipal ordinances heard by associate circuit judges,  
15 pursuant to section 479.040; and for traffic court divisions established pursuant to section 479.500.  
16 The schedule of fines adopted for violations of municipal ordinances may be modified from time to  
17 time as the associate circuit judges of each county en banc deem advisable. No fine established  
18 pursuant to this subsection may exceed the maximum amount specified by statute or [ordinance] the  
19 Missouri Fine Collection Center for such violation.

20 2. In no event shall any schedule of fines adopted pursuant to this section include offenses  
21 involving the following:

- 22 (1) Any violation resulting in personal injury or property damage to another person;  
23 (2) Operating a motor vehicle while intoxicated or under the influence of intoxicants or  
24 drugs;  
25 (3) Operating a vehicle with a counterfeited, altered, suspended or revoked license;  
26 (4) Fleeing or attempting to elude an officer.

27 3. There shall be a centralized bureau to be established by supreme court rule in order to  
28 accept pleas of not guilty or guilty and payments of fines and court costs for violations of the laws  
29 and ordinances described in subsection 1 of this section, made pursuant to a schedule of fines  
30 established pursuant to this section. The centralized bureau shall collect, with any plea of guilty and  
31 payment of a fine, all court costs which would have been collected by the court of the jurisdiction  
32 from which the violation originated.

33 4. If a person elects not to contest the alleged violation, the person shall send payment in the  
34 amount of the fine and any court costs established for the violation to the centralized bureau. Such  
35 payment shall be payable to the central violations bureau, shall be made by mail or in any other  
36 manner established by the centralized bureau, and shall constitute a plea of guilty, waiver of trial

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1 and a conviction for purposes of section 302.302, and for purposes of imposing any collateral  
2 consequence of a criminal conviction provided by law. By paying the fine and costs, the person also  
3 consents to attendance either online or in person at any driver-improvement program or motorcycle-  
4 rider training course ordered by the court and consents to verification of such attendance as directed  
5 by the bureau. Notwithstanding any provision of law to the contrary, the prosecutor shall not be  
6 required to sign any information, ticket or indictment if disposition is made pursuant to this  
7 subsection. In the event that any payment is made pursuant to this section by credit card or similar  
8 method, the centralized bureau may charge an additional fee in order to reflect any transaction cost,  
9 surcharge or fee imposed on the recipient of the credit card payment by the credit card company.

10 5. If a person elects to plead not guilty, such person shall send the plea of not guilty to the  
11 centralized bureau. The bureau shall send such plea and request for trial to the prosecutor having  
12 original jurisdiction over the offense. Any trial shall be conducted at the location designated by the  
13 court. The clerk of the court in which the case is to be heard shall notify in writing such person of  
14 the date certain for the disposition of such charges. The prosecutor shall not be required to sign any  
15 information, ticket or indictment until the commencement of any proceeding by the prosecutor with  
16 respect to the notice of violation.

17 6. In courts adopting a schedule of fines pursuant to this section, any person receiving a  
18 notice of violation pursuant to this section shall also receive written notification of the following:

19 (1) The fine and court costs established pursuant to this section for the violation or  
20 information regarding how the person may obtain the amount of the fine and court costs for the  
21 violation;

22 (2) That the person must respond to the notice of violation by paying the prescribed fine and  
23 court costs, or pleading not guilty and appearing at trial, and that other legal penalties prescribed by  
24 law may attach for failure to appear and dispose of the violation. The supreme court may modify  
25 the suggested forms for uniform complaint and summons for use in courts adopting the procedures  
26 provided by this section, in order to accommodate such required written notifications.

27 7. Any moneys received in payment of fines and court costs pursuant to this section shall  
28 not be considered to be state funds, but shall be held in trust by the centralized bureau for benefit of  
29 those persons or entities entitled to receive such funds pursuant to this subsection. All amounts paid  
30 to the centralized bureau shall be maintained by the centralized bureau, invested in the manner  
31 required of the state treasurer for state funds by sections 30.240, 30.250, 30.260 and 30.270, and  
32 disbursed as provided by the constitution and laws of this state. Any interest earned on such fund  
33 shall be payable to the director of the department of revenue for deposit into a revolving fund to be  
34 established pursuant to this subsection. The state treasurer shall be the custodian of the revolving  
35 fund, and shall make disbursements, as allowed by lawful appropriations, only to the judicial branch  
36 of state government for goods and services related to the administration of the judicial system.

37 8. Any person who receives a notice of violation subject to this section who fails to dispose  
38 of such violation as provided by this section shall be guilty of failure to appear provided by section  
39 544.665; and may be subject to suspension of driving privileges in the manner provided by section  
40 302.341. The centralized bureau shall notify the appropriate prosecutor of any person who fails to  
41 either pay the prescribed fine and court costs, or plead not guilty and request a trial within the time  
42 allotted by this section, for purposes of application of section 544.665. The centralized bureau shall  
43 also notify the department of revenue of any failure to appear subject to section 302.341, and the  
44 department shall thereupon suspend the license of the driver in the manner provided by section  
45 302.341, as if notified by the court.

46 9. In addition to the remedies provided by subsection 8 of this section, the centralized  
47 bureau and the courts may use the remedies provided by sections 488.010 to 488.020 for the  
48 collection of court costs payable to courts, in order to collect fines and court costs for violations

1 subject to this section."; and

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

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