

House _____ Amendment NO. _____

Offered By _____

1 AMEND House Committee Substitute for House Bill No. 275, Page 2, Section 304.288, Line 23, by
2 inserting after all of said section and line the following:

3
4 "476.385. 1. The judges of the supreme court may appoint a committee consisting of at
5 least seven associate circuit judges, who shall meet en banc and establish and maintain a schedule of
6 fines to be paid for violations of sections 210.104, 577.070, and 577.073, and chapters 252, 301,
7 302, 304, 306, 307 and 390, with such fines increasing in proportion to the severity of the violation.
8 The associate circuit judges of each county [may] shall meet en banc and adopt the schedule of fines
9 [and participation in the centralized bureau] pursuant to this section. [Notice of such adoption and
10 participation shall be given in the manner provided by supreme court rule. Upon order of the
11 supreme court, the associate circuit judges of each county may meet en banc and establish and
12 maintain a schedule of fines to be paid for violations of municipal ordinances for cities, towns and
13 villages electing to have violations of its municipal ordinances] The associate circuit judges of each
14 county shall choose to either participate in the centralized bureau or have violations heard by
15 associate circuit judges, pursuant to section 479.040; and for traffic court divisions established
16 pursuant to section 479.500. [The schedule of fines adopted for violations of municipal ordinances
17 may be modified from time to time as the associate circuit judges of each county en banc deem
18 advisable. No fine established pursuant to this subsection may exceed the maximum amount
19 specified by statute or ordinance for such violation] Notwithstanding any other provision of law,
20 there shall be no deviation from the schedule of fines established and maintained by the Supreme
21 Court under this subsection and individual political subdivisions, including counties and
22 municipalities, shall be strictly prohibited from establishing any traffic offense not on the schedule
23 of fines and prohibited from modifying any fine on the schedule.

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

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

Action Taken _____ Date _____

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

7 4. If a person elects not to contest the alleged violation, the person shall send payment in the
8 amount of the fine and any court costs established for the violation to the centralized bureau. Such
9 payment shall be payable to the central violations bureau, shall be made by mail or in any other
10 manner established by the centralized bureau, and shall constitute a plea of guilty, waiver of trial
11 and a conviction for purposes of section 302.302, and for purposes of imposing any collateral
12 consequence of a criminal conviction provided by law. By paying the fine and costs, the person also
13 consents to attendance either online or in person at any driver-improvement program or motorcycle-
14 rider training course ordered by the court and consents to verification of such attendance as directed
15 by the bureau. Notwithstanding any provision of law to the contrary, the prosecutor shall not be
16 required to sign any information, ticket or indictment if disposition is made pursuant to this
17 subsection. In the event that any payment is made pursuant to this section by credit card or similar
18 method, the centralized bureau may charge an additional fee in order to reflect any transaction cost,
19 surcharge or fee imposed on the recipient of the credit card payment by the credit card company.

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

27 6. [In courts adopting a schedule of fines pursuant to this section,] Any person receiving a
28 notice of violation pursuant to this section shall also receive written notification of the following:

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

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

37 7. Any moneys received in payment of fines and court costs pursuant to this section shall
38 not be considered to be state funds, but shall be held in trust by the centralized bureau for benefit of
39 those persons or entities entitled to receive such funds pursuant to this subsection. All amounts paid
40 to the centralized bureau shall be maintained by the centralized bureau, invested in the manner
41 required of the state treasurer for state funds by sections 30.240, 30.250, 30.260 and 30.270, and

1 disbursed as provided by the constitution and laws of this state. Any interest earned on such fund
2 shall be payable to the director of the department of revenue for deposit into a revolving fund to be
3 established pursuant to this subsection. The state treasurer shall be the custodian of the revolving
4 fund, and shall make disbursements, as allowed by lawful appropriations, only to the judicial branch
5 of state government for goods and services related to the administration of the judicial system.

6 8. Any person who receives a notice of violation subject to this section who fails to dispose
7 of such violation as provided by this section shall be guilty of failure to appear provided by section
8 544.665; and may be subject to suspension of driving privileges in the manner provided by section
9 302.341. The centralized bureau shall notify the appropriate prosecutor of any person who fails to
10 either pay the prescribed fine and court costs, or plead not guilty and request a trial within the time
11 allotted by this section, for purposes of application of section 544.665. The centralized bureau shall
12 also notify the department of revenue of any failure to appear subject to section 302.341, and the
13 department shall thereupon suspend the license of the driver in the manner provided by section
14 302.341, as if notified by the court.

15 9. In addition to the remedies provided by subsection 8 of this section, the centralized
16 bureau and the courts may use the remedies provided by sections 488.010 to 488.020 for the
17 collection of court costs payable to courts, in order to collect fines and court costs for violations
18 subject to this section."; and

19
20 Further amend said bill by amending the title, enacting clause, and intersectional references
21 accordingly.