

HOUSE AMENDMENT NO.\_\_\_\_  
TO  
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Offered By

AMEND House Amendment No.\_\_\_\_ to House Committee Substitute for Senate Bill No. 225,  
Page 1, Line 27, by inserting immediately after all of said line the following:

"Further amend said bill, Page 19, Section 301.550, Line 125, by inserting immediately after all of  
said section and line the following:

"302.020. 1. Unless otherwise provided for by law, it shall be unlawful for any person,  
except those expressly exempted by section 302.080, to:

(1) Operate any vehicle upon any highway in this state unless the person has a valid license;

(2) Operate a motorcycle or motortricycle upon any highway of this state unless such person  
has a valid license that shows the person has successfully passed an examination for the operation of  
a motorcycle or motortricycle as prescribed by the director. The director may indicate such upon a  
valid license issued to such person, or shall issue a license restricting the applicant to the operation  
of a motorcycle or motortricycle if the actual demonstration, required by section 302.173, is  
conducted on such vehicle;

(3) Authorize or knowingly permit a motorcycle or motortricycle owned by such person or  
under such person's control to be driven upon any highway by any person whose license does not  
indicate that the person has passed the examination for the operation of a motorcycle or  
motortricycle or has been issued an instruction permit therefor;

(4) Operate a motor vehicle with an instruction permit or license issued to another person.

2. Every person who is younger than twenty-one years of age operating or riding as a  
passenger on any motorcycle or motortricycle, as defined in section 301.010, upon any highway of  
this state shall wear protective headgear at all times the vehicle is in motion. Every person twenty-  
one years of age or older operating any motorcycle or motortricycle who has been issued an  
instruction permit shall wear protective headgear at all times the vehicle is in motion. Every person  
twenty-one years of age or older operating any motorcycle or motortricycle who has neither  
possessed his or her motorcycle license or motorcycle endorsement for a minimum period of two  
years nor completed a motorcycle safety education course approved pursuant to sections 302.133 to  
302.137 shall wear protective headgear at all times the vehicle is in motion. The protective  
headgear shall meet reasonable standards and specifications established by the director. No person  
shall be stopped, inspected, or detained solely to determine compliance with this subsection.

3. Notwithstanding the provisions of section 302.340 any person convicted of violating  
subdivision (1) or (2) of subsection 1 of this section is guilty of a misdemeanor. A first violation of

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subdivision (1) or (2) of subsection 1 of this section shall be punishable as a class D misdemeanor. A second violation of subdivision (1) or (2) of subsection 1 of this section shall be punishable as a class A misdemeanor. Any person convicted a third or subsequent time of violating subdivision (1) or (2) of subsection 1 of this section is guilty of a class E felony. Notwithstanding the provisions of section 302.340, violation of subdivisions (3) and (4) of subsection 1 of this section is a misdemeanor, the first violation punishable as a class D misdemeanor, a second or subsequent violation of this section punishable as a class C misdemeanor, and the penalty for failure to wear protective headgear as required by subsection 2 of this section is an infraction for which a fine not to exceed twenty-five dollars may be imposed. Notwithstanding all other provisions of law and court rules to the contrary, no court costs shall be imposed upon any person due to such violation. No points shall be assessed pursuant to section 302.302 for a failure to wear such protective headgear. Prior pleas of guilty and prior findings of guilty shall be pleaded and proven in the same manner as required by section 558.021.

302.026. 1. Any qualified motorcycle operator who is twenty-one years of age or older may operate a motorcycle or motortricycle upon any highway of this state without wearing protective headgear if he or she has first-party insurance coverage and has completed a motorcycle safety education course approved pursuant to sections 302.133 to 302.137 or possessed his or her motorcycle license or motorcycle endorsement for a minimum period of two years. In addition to maintaining proof of financial responsibility in accordance with chapter 303, any such qualified motorcycle operator who desires to operate a motorcycle or motortricycle upon any highway of this state without wearing protective headgear shall be covered by a health insurance policy.

2. Proof of coverage required by subsection 1 of this section shall be provided to law enforcement, upon request, by showing documentation indicating the qualified operator has the insurance coverage required by this section. The term "health benefit plan" as used in this section shall have the same meaning assigned to it in section 376.1350."; and

Further amend said bill, Page 30, Section 407.816, Line 7, by inserting immediately after all of said section and line the following:

"476.385. 1. The judges of the supreme court may appoint a committee consisting of at least seven associate circuit judges, who shall meet en banc and establish and maintain a schedule of fines to be paid for violations of sections 210.104, 577.070, and 577.073, and chapters 252, 301, 302, 304, 306, 307 and 390, with such fines increasing in proportion to the severity of the violation. The associate circuit judges of each county may meet en banc and adopt the schedule of fines and participation in the centralized bureau pursuant to this section. Notice of such adoption and participation shall be given in the manner provided by supreme court rule. Upon order of the supreme court, the associate circuit judges of each county may meet en banc and establish and maintain a schedule of fines to be paid for violations of municipal ordinances for cities, towns and villages electing to have violations of its municipal ordinances heard by associate circuit judges, pursuant to section 479.040; and for traffic court divisions established pursuant to section 479.500. The schedule of fines adopted for violations of municipal ordinances may be modified from time to time as the associate circuit judges of each county en banc deem advisable. No fine established pursuant to this subsection may exceed the maximum amount specified by statute or ordinance for such violation. Individual political subdivisions, including counties and municipalities, shall be prohibited from imposing a fine for any violation in excess of the fine specified for the violation on the schedule of fines established and maintained by the supreme court under this subsection.

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

(1) Any violation resulting in personal injury or property damage to another person;  
 (2) Operating a motor vehicle while intoxicated or under the influence of intoxicants or drugs;

(3) Operating a vehicle with a counterfeited, altered, suspended or revoked license;

(4) Fleeing or attempting to elude an officer.

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

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

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

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

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

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

7. Any moneys received in payment of fines and court costs pursuant to this section shall not be considered to be state funds, but shall be held in trust by the centralized bureau for benefit of those persons or entities entitled to receive such funds pursuant to this subsection. All amounts paid to the centralized bureau shall be maintained by the centralized bureau, invested in the manner required of the state treasurer for state funds by sections 30.240, 30.250, 30.260 and 30.270, and disbursed as provided by the constitution and laws of this state. Any interest earned on such fund shall be payable to the director of the department of revenue for deposit into a revolving fund to be

1 established pursuant to this subsection. The state treasurer shall be the custodian of the revolving  
2 fund, and shall make disbursements, as allowed by lawful appropriations, only to the judicial branch  
3 of state government for goods and services related to the administration of the judicial system.

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

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

18 Further amend said bill by amending the title, enacting clause, and intersectional references  
19 accordingly.  
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22 THIS AMENDS 0915H03.16H.