

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

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

1 AMEND Senate Bill No. 329, Page 20, Section 407.826, Line 73, by inserting after all of said  
2 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 meet en banc and adopt the schedule of fines and  
9 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 heard by associate circuit judges,  
14 pursuant to section 479.040; and for traffic court divisions established pursuant to section 479.500.  
15 The schedule of fines adopted for violations of municipal ordinances may be modified from time to  
16 time as the associate circuit judges of each county en banc deem advisable. No fine established  
17 pursuant to this subsection may exceed the maximum amount specified by statute or ordinance for  
18 such violation. Individual political subdivisions, including counties and municipalities, shall be  
19 prohibited from imposing a fine for any violation in excess of the fine specified for the violation on  
20 the schedule of fines established and maintained by the supreme court under this subsection.

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

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

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

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

Action Taken \_\_\_\_\_ Date \_\_\_\_\_

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

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

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

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

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

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

38 8. Any person who receives a notice of violation subject to this section who fails to dispose  
39 of such violation as provided by this section shall be guilty of failure to appear provided by section  
40 544.665; and may be subject to suspension of driving privileges in the manner provided by section  
41 302.341. The centralized bureau shall notify the appropriate prosecutor of any person who fails to  
42 either pay the prescribed fine and court costs, or plead not guilty and request a trial within the time  
43 allotted by this section, for purposes of application of section 544.665. The centralized bureau shall  
44 also notify the department of revenue of any failure to appear subject to section 302.341, and the  
45 department shall thereupon suspend the license of the driver in the manner provided by section  
46 302.341, as if notified by the court.

47 9. In addition to the remedies provided by subsection 8 of this section, the centralized  
48 bureau and the courts may use the remedies provided by sections 488.010 to 488.020 for the

- 1 collection of court costs payable to courts, in order to collect fines and court costs for violations
- 2 subject to this section."; and
- 3
- 4 Further amend said bill by amending the title, enacting clause, and intersectional references
- 5 accordingly.