

HCS #2 HB 499 -- DRIVER'S LICENSE REVOCATION

SPONSOR: Griesheimer

COMMITTEE ACTION: Voted "Do Pass with HCS" by the Standing Committee on Transportation by a vote of 12 to 1. HB 499 was recommitted from the Floor to the Standing Committee on Rules-Administrative Oversight and was voted "Do Pass with HCS #2" by a vote of 7 to 0.

This bill allows the Director of the Department of Revenue to order the revocation of a driver's license upon notification by the investigative officer that the license holder was involved in a physical accident involving a highway worker within a designated construction zone or work zone.

An individual whose driver's license is revoked may seek reinstatement by either taking and passing the written and driving portions of the driver's license examination, in which case the individual's driver's license is immediately reinstated, or petitioning for a hearing before a circuit division or associate division of the court in the county in which the work zone accident occurred. The individual may request that the court issue an order staying the revocation until such time as the petition for review can be heard.

The Department of Revenue administrative adjudication to reinstate a driver's license that was revoked and any evidence provided to the department related to such adjudication, cannot be produced by subpoena or any other means and made available as evidence in any other administrative action, civil case, or criminal prosecution.

The bill does not prevent the department from providing information to the system authorized under 49 U.S.C. Section 31309, or any successor federal law, pertaining to the licensing, identification, and disqualification of operators of commercial motor vehicles.

PROPONENTS: Supporters say that the bill is necessary to prevent situations where dangerous drivers remain licensed to drive for years at a time because of faulty testing procedures or other issues with the current suspension and revocation process. The bill provides for due process and immediate reinstatement of a license upon passage of the driving test and only requires revocation upon a serious accident in a properly marked work zone where an investigation determines that the driver is likely to have violated traffic rules.

Testifying for the bill were Representative Griesheimer; Missouri State Utility Workers Conference; Transportation Employees

Association of Missouri; Gale Blumenkamp, Boone County Fire District; Nicole Herbel; Robert Land, Association of Missouri Electric Cooperatives; Towing & Recovery Association of Missouri; Tim Hooten, Cuivre River Electric Cooperative; Missouri Troopers Association; Brandon Cracraft; Travis Vickers, Emery Sapp & Sons; Randy Besand, Pace Construction Company; Becky Allmeroth, Missouri Department of Transportation; Patrick Mckenna, Missouri Department of Transportation; and the Association of Missouri Electric Cooperatives.

OPPONENTS: There was no opposition voiced to the committee.

OTHERS: Others testifying on the bill say the fiscal note may need to be adjusted since the Department of Revenue does not require any additional full time employees and computer costs should be one-time expenses.

Testifying on the bill were the Missouri Department of Revenue and Justin Mccullough, Missouri State Highway Patrol.