

HB 191 -- PROSECUTORIAL RESPONSIBILITY FOR DRIVER'S LICENSE ISSUES

SPONSOR: Ellebracht

This bill requires trial de novo of driver's license decisions under Chapter 536, RSMo, to be handled by the prosecuting attorney of the county, who shall appear on behalf of the Director of the Department of Revenue.

Currently, if a person's license has been revoked for failure to submit to a chemical test and the person has petitioned for a circuit or associate circuit court review and requested a stay of the revocation pending the requested review, the clerk of the court must notify the prosecuting attorney of the county, who must then appear on behalf of the Director of the Department of Revenue. The bill changes that procedure to require the Director of the Department of Revenue or an attorney designated by the Director to appear at the hearing on behalf of the Department of Revenue.

This bill is the same as HB 1507 (2020).