

FIRST REGULAR SESSION

HOUSE BILL NO. 1339

103RD GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE JONES (12).

1368H.03I

JOSEPH ENGLER, Chief Clerk

AN ACT

To repeal sections 302.130, 302.171, 302.178, and 302.302, RSMo, and to enact in lieu thereof seven new sections relating to driving offenses committed by young drivers, with penalty provisions.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Sections 302.130, 302.171, 302.178, and 302.302, RSMo, are repealed
2 and seven new sections enacted in lieu thereof, to be known as sections 302.130, 302.171,
3 302.178, 302.212, 302.214, 302.216, and 302.302, to read as follows:

302.130. 1. Any person at least fifteen years of age who, except for age or lack of
2 instruction in operating a motor vehicle, would otherwise be qualified to obtain a license
3 pursuant to sections 302.010 to 302.340 may apply for and the director shall issue a
4 temporary instruction permit entitling the applicant, while having such permit in the
5 applicant's immediate possession, to drive a motor vehicle of the appropriate class upon the
6 highways for a period of twelve months, but any such person, except when operating a
7 motorcycle or motortricycle, must be accompanied by a licensed operator for the type of
8 motor vehicle being operated who is actually occupying a seat beside the driver for the
9 purpose of giving instruction in driving the motor vehicle, who is at least twenty-one years of
10 age, and in the case of any driver under sixteen years of age, the licensed operator occupying
11 the seat beside the driver shall be a grandparent, parent, guardian, a person who is at least
12 twenty-five years of age who has been licensed for a minimum of three years and has received
13 written permission from the parent or legal guardian to escort or accompany the driver, a
14 driver training instructor holding a valid driver education endorsement on a teaching
15 certificate issued by the department of elementary and secondary education or a qualified

EXPLANATION — Matter enclosed in bold-faced brackets **[thus]** in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

16 instructor of a private drivers' education program who has a valid driver's license. An
17 applicant for a temporary instruction permit shall successfully complete a vision test and a
18 test of the applicant's ability to understand highway signs which regulate, warn or direct
19 traffic and practical knowledge of the traffic laws of this state, pursuant to section 302.173.
20 In addition, beginning January 1, 2007, no permit shall be granted pursuant to this subsection
21 unless a parent or legal guardian gives written permission by signing the application and in so
22 signing, state they, or their designee as set forth in subsection 2 of this section, will provide a
23 minimum of forty hours of behind-the-wheel driving instruction, including a minimum of ten
24 hours of behind-the-wheel driving instruction that occurs during the nighttime hours falling
25 between sunset and sunrise. The forty hours of behind-the-wheel driving instruction that is
26 completed pursuant to this subsection may include any time that the holder of an instruction
27 permit has spent operating a motor vehicle in a driver training program taught by a driver
28 training instructor holding a valid driver education endorsement on a teaching certificate
29 issued by the department of elementary and secondary education or by a qualified instructor
30 of a private drivers' education program. If the applicant for a permit is enrolled in a federal
31 residential job training program, the instructor, as defined in subsection 5 of this section, is
32 authorized to sign the application stating that the applicant will receive the behind-the-wheel
33 driving instruction required by this section.

34 2. In the event the parent, grandparent or guardian of the person under sixteen years
35 of age has a physical disability which prohibits or disqualifies said parent, grandparent or
36 guardian from being a qualified licensed operator pursuant to this section, said parent,
37 grandparent or guardian may designate a maximum of two individuals authorized to
38 accompany the applicant for the purpose of giving instruction in driving the motor vehicle.
39 An authorized designee must be a licensed operator for the type of motor vehicle being
40 operated and have attained twenty-one years of age. At least one of the designees must
41 occupy the seat beside the applicant while giving instruction in driving the motor vehicle.
42 The name of the authorized designees must be provided to the department of revenue by the
43 parent, grandparent or guardian at the time of application for the temporary instruction
44 permit. The name of each authorized designee shall be printed on the temporary instruction
45 permit, however, the director may delay the time at which permits are printed bearing such
46 names until the inventories of blank permits and related forms existing on August 28, 1998,
47 are exhausted.

48 3. The director, upon proper application on a form prescribed by the director, in his or
49 her discretion, may issue a restricted instruction permit effective for a school year or more
50 restricted period to an applicant who is enrolled in a high school driver training program
51 taught by a driver training instructor holding a valid driver education endorsement on a
52 teaching certificate issued by the state department of elementary and secondary education

53 even though the applicant has not reached the age of sixteen years but has passed the age of
54 fifteen years. Such instruction permit shall entitle the applicant, when the applicant has such
55 permit in his or her immediate possession, to operate a motor vehicle on the highways, but
56 only when a driver training instructor holding a valid driver education endorsement on a
57 teaching certificate issued by the state department of elementary and secondary education is
58 occupying a seat beside the driver.

59 4. The director, in his or her discretion, may issue a temporary driver's permit to an
60 applicant who is otherwise qualified for a license permitting the applicant to operate a motor
61 vehicle while the director is completing the director's investigation and determination of all
62 facts relative to such applicant's rights to receive a license. Such permit must be in the
63 applicant's immediate possession while operating a motor vehicle, and it shall be invalid
64 when the applicant's license has been issued or for good cause has been refused.

65 5. In the event that the applicant for a temporary instruction permit described in
66 subsection 1 of this section is a participant in a federal residential job training program, the
67 permittee may operate a motor vehicle accompanied by a driver training instructor who holds
68 a valid driver education endorsement issued by the department of elementary and secondary
69 education and a valid driver's license.

70 6. A person at least fifteen years of age may operate a motor vehicle as part of a
71 driver training program taught by a driver training instructor holding a valid driver education
72 endorsement on a teaching certificate issued by the department of elementary and secondary
73 education or a qualified instructor of a private drivers' education program.

74 7. Beginning January 1, 2003, the director shall issue with every temporary
75 instruction permit issued pursuant to subsection 1 of this section a sticker or sign bearing the
76 words "PERMIT DRIVER". The design and size of such sticker or sign shall be determined
77 by the director by regulation. Every applicant issued a temporary instruction permit and
78 sticker on or after January 1, 2003, may display or affix the sticker or sign on the rear window
79 of the motor vehicle. Such sticker or sign may be displayed on the rear window of the motor
80 vehicle whenever the holder of the instruction permit operates a motor vehicle during his or
81 her temporary permit licensure period.

82 8. Beginning July 1, 2005, the director shall verify that an applicant for an instruction
83 permit issued under this section is lawfully present in the United States before accepting the
84 application. The director shall not issue an instruction permit for a period that exceeds an
85 applicant's lawful presence in the United States. The director may establish procedures to
86 verify the lawful presence of the applicant and establish the duration of any permit issued
87 under this section.

88 9. **Notwithstanding any provision of law to the contrary, for any person holding**
89 **a temporary instruction permit issued under the provisions of this section, no violation**

90 **for which points are assessed under section 302.302 shall be reduced or amended to any**
91 **violation for which fewer or no points are assessed under section 302.302.**

92 **10.** The director may adopt rules and regulations necessary to carry out the provisions
93 of this section.

302.171. 1. The director shall verify that an applicant for a driver's license is a
2 Missouri resident or national of the United States or a noncitizen with a lawful immigration
3 status, and a Missouri resident before accepting the application. The director shall not issue a
4 driver's license for a period that exceeds the duration of an applicant's lawful immigration
5 status in the United States. The director may establish procedures to verify the Missouri
6 residency or United States naturalization or lawful immigration status and Missouri residency
7 of the applicant and establish the duration of any driver's license issued under this section. An
8 application for a license shall be made upon an approved form furnished by the director.
9 Every application shall state the full name, Social Security number, age, height, weight, color
10 of eyes, sex, residence, mailing address of the applicant, and the classification for which the
11 applicant has been licensed, and, if so, when and by what state, and whether or not such
12 license has ever been suspended, revoked, or disqualified, and, if revoked, suspended or
13 disqualified, the date and reason for such suspension, revocation or disqualification and
14 whether the applicant is making a one or more dollar donation to promote an organ donation
15 program as prescribed in subsection 2 of this section, to promote a blindness education,
16 screening and treatment program as prescribed in subsection 3 of this section, or the Missouri
17 medal of honor recipients fund prescribed in subsection 4 of this section. A driver's license,
18 nondriver's license, or instruction permit issued under this chapter shall contain the applicant's
19 legal name as it appears on a birth certificate or as legally changed through marriage or court
20 order. No name change by common usage based on common law shall be permitted. The
21 application shall also contain such information as the director may require to enable the
22 director to determine the applicant's qualification for driving a motor vehicle; and shall state
23 whether or not the applicant has been convicted in this or any other state for violating the laws
24 of this or any other state or any ordinance of any municipality, relating to driving without a
25 license, careless driving, or driving while intoxicated, or failing to stop after an accident and
26 disclosing the applicant's identity, or driving a motor vehicle without the owner's consent.
27 The application shall contain a certification by the applicant as to the truth of the facts stated
28 therein. Every person who applies for a license to operate a motor vehicle who is less than
29 twenty-one years of age shall be provided with educational materials relating to the hazards of
30 driving while intoxicated, including information on penalties imposed by law for violation of
31 the intoxication-related offenses of the state. Beginning January 1, 2001, if the applicant is
32 less than eighteen years of age, the applicant must comply with all requirements for the
33 issuance of an intermediate driver's license pursuant to section 302.178. For persons

34 mobilized and deployed with the United States Armed Forces, an application under this
35 subsection shall be considered satisfactory by the department of revenue if it is signed by a
36 person who holds general power of attorney executed by the person deployed, provided the
37 applicant meets all other requirements set by the director. **Beginning January 1, 2027, if the**
38 **applicant is under twenty-one years of age and has never held a driver's license issued**
39 **by the state of Missouri, any other state or territory of the United States, or any foreign**
40 **country, the applicant shall successfully complete a driver's education program**
41 **approved by the Missouri highways and transportation commission.**

42 2. An applicant for a license may make a donation of an amount not less than one
43 dollar to promote an organ donor program. The director of revenue shall collect the donations
44 and deposit all such donations in the state treasury to the credit of the organ donor program
45 fund established in sections 194.297 to 194.304. Moneys in the organ donor program fund
46 shall be used solely for the purposes established in sections 194.297 to 194.304 except that
47 the department of revenue shall retain no more than one percent for its administrative costs.
48 The donation prescribed in this subsection is voluntary and may be refused by the applicant
49 for the license at the time of issuance or renewal of the license. The director shall make
50 available an informational booklet or other informational sources on the importance of organ
51 and tissue donations to applicants for licensure as designed by the organ donation advisory
52 committee established in sections 194.297 to 194.304. The director shall inquire of each
53 applicant at the time the licensee presents the completed application to the director whether
54 the applicant is interested in making the one or more dollar donation prescribed in this
55 subsection and whether the applicant is interested in inclusion in the organ donor registry and
56 shall also specifically inform the licensee of the ability to consent to organ donation by
57 placing a donor symbol sticker authorized and issued by the department of health and senior
58 services on the back of his or her driver's license or identification card as prescribed by
59 subdivision (1) of subsection 1 of section 194.225. A symbol may be placed on the front of
60 the license or identification card indicating the applicant's desire to be listed in the registry at
61 the applicant's request at the time of his or her application for a driver's license or
62 identification card, or the applicant may instead request an organ donor sticker from the
63 department of health and senior services by application on the department of health and senior
64 services' website. Upon receipt of an organ donor sticker sent by the department of health and
65 senior services, the applicant shall place the sticker on the back of his or her driver's license or
66 identification card to indicate that he or she has made an anatomical gift. The director shall
67 notify the department of health and senior services of information obtained from applicants
68 who indicate to the director that they are interested in registry participation, and the
69 department of health and senior services shall enter the complete name, address, date of birth,

70 race, gender and a unique personal identifier in the registry established in subsection 1 of
71 section 194.304.

72 3. An applicant for a license may make a donation of one dollar to promote a
73 blindness education, screening and treatment program. The director of revenue shall collect
74 the donations and deposit all such donations in the state treasury to the credit of the blindness
75 education, screening and treatment program fund established in section 209.015. Moneys in
76 the blindness education, screening and treatment program fund shall be used solely for the
77 purposes established in section 209.015; except that the department of revenue shall retain no
78 more than one percent for its administrative costs. The donation prescribed in this subsection
79 is voluntary and may be refused by the applicant for the license at the time of issuance or
80 renewal of the license. The director shall inquire of each applicant at the time the licensee
81 presents the completed application to the director whether the applicant is interested in
82 making the one dollar donation prescribed in this subsection.

83 4. An applicant for registration may make a donation of one dollar to the Missouri
84 medal of honor recipients fund. The director of revenue shall collect the donations and
85 deposit all such donations in the state treasury to the credit of the Missouri medal of honor
86 recipients fund as established in section 226.925. Moneys in the medal of honor recipients
87 fund shall be used solely for the purposes established in section 226.925, except that the
88 department of revenue shall retain no more than one percent for its administrative costs. The
89 donation prescribed in this subsection is voluntary and may be refused by the applicant for
90 registration at the time of issuance or renewal. The director shall inquire of each applicant at
91 the time the applicant presents the completed application to the director whether the applicant
92 is interested in making the one dollar donation prescribed in this subsection.

93 5. **An applicant for registration may make a donation of one dollar to the**
94 **driver's education training fund. The director of revenue shall collect the donations and**
95 **deposit all such donations in the state treasury to the credit of the driver's education**
96 **training fund in section 302.216. Moneys in the driver's education training fund shall be**
97 **used solely for the purposes established in section 302.216, except that the department of**
98 **revenue shall retain no more than one percent for its administrative costs. The donation**
99 **prescribed in this subsection is voluntary and may be refused by the applicant for**
100 **registration at the time of issuance or renewal. The director shall inquire of each**
101 **applicant at the time the applicant presents the completed application to the director**
102 **whether the applicant is interested in making the one dollar donation prescribed in this**
103 **subsection.**

104 6. Beginning July 1, 2005, the director shall deny the driving privilege of any person
105 who commits fraud or deception during the examination process or who makes application
106 for an instruction permit, driver's license, or nondriver's license which contains or is

107 substantiated with false or fraudulent information or documentation, or who knowingly
108 conceals a material fact or otherwise commits a fraud in any such application. The period of
109 denial shall be one year from the effective date of the denial notice sent by the director. The
110 denial shall become effective ten days after the date the denial notice is mailed to the person.
111 The notice shall be mailed to the person at the last known address shown on the person's
112 driving record. The notice shall be deemed received three days after mailing unless returned
113 by the postal authorities. No such individual shall reapply for a driver's examination,
114 instruction permit, driver's license, or nondriver's license until the period of denial is
115 completed. No individual who is denied the driving privilege under this section shall be
116 eligible for a limited driving privilege issued under section 302.309.

117 ~~[6-]~~ 7. All appeals of denials under this section shall be made as required by section
118 302.311.

119 ~~[7-]~~ 8. The period of limitation for criminal prosecution under this section shall be
120 extended under subdivision (1) of subsection 3 of section 556.036.

121 ~~[8-]~~ 9. The director may promulgate rules and regulations necessary to administer and
122 enforce this section. No rule or portion of a rule promulgated pursuant to the authority of this
123 section shall become effective unless it has been promulgated pursuant to chapter 536.

124 ~~[9-]~~ 10. Notwithstanding any provision of this chapter that requires an applicant to
125 provide proof of Missouri residency for renewal of a noncommercial driver's license,
126 noncommercial instruction permit, or nondriver's license, an applicant who is sixty-five years
127 and older and who was previously issued a Missouri noncommercial driver's license,
128 noncommercial instruction permit, or Missouri nondriver's license is exempt from showing
129 proof of Missouri residency.

130 ~~[10-]~~ 11. Notwithstanding any provision of this chapter, for the renewal of a
131 noncommercial driver's license, noncommercial instruction permit, or nondriver's license, a
132 photocopy of an applicant's United States birth certificate along with another form of
133 identification approved by the department of revenue, including, but not limited to, United
134 States military identification or United States military discharge papers, shall constitute
135 sufficient proof of Missouri citizenship.

136 ~~[11-]~~ 12. Notwithstanding any other provision of this chapter, if an applicant does not
137 meet the requirements of subsection ~~[9]~~ 10 of this section and does not have the required
138 documents to prove Missouri residency, United States naturalization, or lawful immigration
139 status, the department may issue a one-year driver's license renewal. This one-time renewal
140 shall only be issued to an applicant who previously has held a Missouri noncommercial
141 driver's license, noncommercial instruction permit, or nondriver's license for a period of
142 fifteen years or more and who does not have the required documents to prove Missouri
143 residency, United States naturalization, or lawful immigration status. After the expiration of

144 the one-year period, no further renewal shall be provided without the applicant producing
145 proof of Missouri residency, United States naturalization, or lawful immigration status.

302.178. 1. Any person between the ages of sixteen and eighteen years who is
2 qualified to obtain a license pursuant to sections 302.010 to 302.340 may apply for, and the
3 director shall issue, an intermediate driver's license entitling the applicant, while having such
4 license in his or her possession, to operate a motor vehicle of the appropriate class upon the
5 highways of this state in conjunction with the requirements of this section. An intermediate
6 driver's license shall be readily distinguishable from a license issued to those over the age of
7 eighteen. All applicants for an intermediate driver's license shall:

- 8 (1) Successfully complete the examination required by section 302.173;
- 9 (2) Pay the fee required by subsection 4 of this section;
- 10 (3) Have had a temporary instruction permit issued pursuant to subsection 1 of
11 section 302.130 for at least a six-month period or a valid license from another state; and
- 12 (4) Have a parent, grandparent, legal guardian, or, if the applicant is a participant in a
13 federal residential job training program, a driving instructor employed by a federal residential
14 job training program, sign the application stating that the applicant has completed at least
15 forty hours of supervised driving experience under a temporary instruction permit issued
16 pursuant to subsection 1 of section 302.130, or, if the applicant is an emancipated minor, the
17 person over twenty-one years of age who supervised such driving. For purposes of this
18 section, the term "emancipated minor" means a person who is at least sixteen years of age, but
19 less than eighteen years of age, who:
 - 20 (a) Marries with the consent of the legal custodial parent or legal guardian pursuant to
21 section 451.080;
 - 22 (b) Has been declared emancipated by a court of competent jurisdiction;
 - 23 (c) Enters active duty in the Armed Forces;
 - 24 (d) Has written consent to the emancipation from the custodial parent or legal
25 guardian; or
 - 26 (e) Through employment or other means provides for such person's own food, shelter
27 and other cost-of-living expenses;
- 28 (5) Have had no alcohol-related enforcement contacts as defined in section 302.525
29 during the preceding twelve months; and
- 30 (6) Have no nonalcoholic traffic convictions for which points are assessed pursuant to
31 section 302.302, within the preceding six months.

32 2. An intermediate driver's license grants the licensee the same privileges to operate
33 that classification of motor vehicle as a license issued pursuant to section 302.177, except that
34 no person shall operate a motor vehicle on the highways of this state under such an
35 intermediate driver's license between the hours of 1:00 a.m. and 5:00 a.m. unless

36 accompanied by a person described in subsection 1 of section 302.130; except the licensee
37 may operate a motor vehicle without being accompanied if the travel is to or from a school or
38 educational program or activity, a regular place of employment or in emergency situations as
39 defined by the director by regulation.

40 3. Each intermediate driver's license shall be restricted by requiring that the driver
41 and all passengers in the licensee's vehicle wear safety belts at all times. This safety belt
42 restriction shall not apply to a person operating a motorcycle. For the first six months after
43 issuance of the intermediate driver's license, the holder of the license shall not operate a motor
44 vehicle with more than one passenger who is under the age of nineteen who is not a member
45 of the holder's immediate family. As used in this subsection, an intermediate driver's license
46 holder's immediate family shall include brothers, sisters, stepbrothers or stepsisters of the
47 driver, including adopted or foster children residing in the same household of the intermediate
48 driver's license holder. After the expiration of the first six months, the holder of an
49 intermediate driver's license shall not operate a motor vehicle with more than three passengers
50 who are under nineteen years of age and who are not members of the holder's immediate
51 family. The passenger restrictions of this subsection shall not be applicable to any
52 intermediate driver's license holder who is operating a motor vehicle being used in
53 agricultural work-related activities.

54 4. Notwithstanding the provisions of section 302.177 to the contrary, the fee for an
55 intermediate driver's license shall be five dollars and such license shall be valid for a period of
56 two years.

57 5. ~~[Any intermediate driver's licensee accumulating six or more points in a twelve-~~
58 ~~month period may be required to participate in and successfully complete a driver-~~
59 ~~improvement program approved by the state highways and transportation commission. The~~
60 ~~driver improvement program ordered by the director of revenue shall not be used in lieu of~~
61 ~~point assessment]~~ **Notwithstanding any provision of law to the contrary, for any person**
62 **holding an intermediate driver's license issued under the provisions of this section, no**
63 **violation for which points are assessed under section 302.302 shall be reduced or**
64 **amended to any violation for which fewer or no points are assessed under section**
65 **302.302.**

66 6. **(1) Notwithstanding any provision of law to the contrary, the license of any**
67 **intermediate driver's licensee who has accumulated more than two non-alcohol-related**
68 **violations or who has accumulated six or more points for any driving violations shall be**
69 **converted to a temporary learner's permit and shall be subject to the restrictions of**
70 **section 302.130, provided that the licensee is given the opportunity to participate in an**
71 **administrative hearing where he or she may contest any such convictions or assessment**
72 **of points. Such person's intermediate driver's license may be reinstated upon**

73 **demonstration that the person has completed a driver's education program approved by**
74 **the state highways and transportation commission that includes at least forty hours of**
75 **supervised driving experience.**

76 **(2) Whenever a violation by an intermediate driver's licensee involves alcohol,**
77 **the provisions of section 302.520 shall apply.**

78 **(3) Whenever a violation by an intermediate driver's licensee constitutes an**
79 **offense for which twelve points are assessed under section 302.302, the provisions of**
80 **subsection 7 of section 302.304 shall apply.**

81 ~~[6-]~~ 7. (1) An intermediate driver's licensee who has, for the preceding twelve-month
82 period, had no alcohol-related enforcement contacts, as defined in section 302.525 and no
83 traffic convictions for which points are assessed, upon reaching the age of eighteen years or
84 within the thirty days immediately preceding their eighteenth birthday may apply for and
85 receive without further examination, other than a vision test as prescribed by section 302.173,
86 a license issued pursuant to this chapter granting full **adult** driving privileges. Such person
87 shall pay the required fee for such license as prescribed in section 302.177.

88 (2) If an intermediate driver's license expires on a Saturday, Sunday, or legal holiday,
89 such license shall remain valid for the five business days immediately following the
90 expiration date. In no case shall a licensee whose intermediate driver's license expires on a
91 Saturday, Sunday, or legal holiday be guilty of an offense of driving with an expired or invalid
92 driver's license if such offense occurred within five business days immediately following an
93 expiration date that occurs on a Saturday, Sunday, or legal holiday.

94 (3) The director of revenue shall deny an application for ~~[a full]~~ **an adult** driver's
95 license until the person has had no traffic convictions for which points are assessed for a
96 period of twelve months prior to the date of application for license or until the person is
97 eligible to apply for a six-year driver's license as provided for in section 302.177, provided
98 the applicant is otherwise eligible for ~~[full]~~ **adult** driving privileges. An intermediate driver's
99 license shall expire when the licensee is eligible and receives ~~[a full]~~ **an adult** driver's license
100 as prescribed in subdivision (1) of this section.

101 ~~[7-]~~ 8. No person upon reaching the age of eighteen years whose intermediate driver's
102 license and driving privilege is denied, suspended, cancelled or revoked in this state or any
103 other state for any reason may apply for ~~[a full]~~ **an adult** driver's license until such license or
104 driving privilege is fully reinstated. Any such person whose intermediate driver's license has
105 been revoked pursuant to the provisions of sections 302.010 to 302.540 shall, upon receipt of
106 reinstatement of the revocation from the director, pass the complete driver examination, apply
107 for a new license, and pay the proper fee before again operating a motor vehicle upon the
108 highways of this state.

109 ~~[8.]~~ 9. A person shall be exempt from the intermediate licensing requirements if the
110 person has reached the age of eighteen years and meets all other licensing requirements.

111 ~~[9. Any person who violates any of the provisions of this section relating to
112 intermediate drivers' licenses or the provisions of section 302.130 relating to temporary
113 instruction permits is guilty of an infraction, and no points shall be assessed to his or her
114 driving record for any such violation.]~~

115 10. Any rule or portion of a rule, as that term is defined in section 536.010, that is
116 created under the authority delegated in this section shall become effective only if it complies
117 with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028.
118 This section and chapter 536 are nonseverable and if any of the powers vested with the
119 general assembly pursuant to chapter 536 to review, to delay the effective date or to
120 disapprove and annul a rule are subsequently held unconstitutional, then the grant of
121 rulemaking authority and any rule proposed or adopted after August 28, 2000, shall be invalid
122 and void.

**302.212. 1. Notwithstanding any other provision of law to the contrary,
2 beginning January 1, 2027, every applicant for a driver's license or an intermediate
3 driver's license who is under twenty-one years of age and has never held a driver's
4 license issued by the state of Missouri, any other state or territory of the United States,
5 or any foreign country shall successfully complete a driver's education program
6 approved by the Missouri highways and transportation commission.**

7 **2. No application for a license or an intermediate license for the operation of a
8 motor vehicle shall be accepted from any person who has never held a driver's license
9 issued by the state of Missouri, any other state or territory of the United States, or any
10 foreign country unless there is also submitted with the application, on a form approved
11 by the department of revenue, written evidence of successful completion by the
12 applicant of a driver's education program approved by the Missouri highways and
13 transportation commission as provided under section 302.214, which was completed not
14 more than ninety days prior to the date of the application.**

15 **3. The educational requirements of this section shall be in addition to the
16 licensing requirements for an intermediate driver's license under section 302.178.**

**302.214. 1. The department of transportation shall enter into agreements with
2 public or private institutions or organizations to provide driver's education programs
3 free of charge to persons who are under twenty-one years of age and have never held a
4 driver's license issued by the state of Missouri, any other state or territory of the United
5 States, or any foreign country. Moneys for such contracts shall be allocated from the
6 driver's education and training fund established under section 302.216.**

7 **2. Prior to August 1, 2026, the Missouri highways and transportation**
8 **commission shall establish a process for certification and approval of public or**
9 **private institutions or organizations offering private driving instruction, including a**
10 **process for instructor certification. The commission shall maintain a list of approved**
11 **entities.**

12 **3. In order to qualify for certification by the Missouri highways and**
13 **transportation commission, an entity's program of instruction shall meet or exceed**
14 **the most current American Driver and Traffic Safety Education Association's Novice**
15 **Driver Education Curriculum Standards for classroom and behind-the-wheel**
16 **instruction. Program instruction shall include, per student, a minimum of six hours**
17 **of driving simulation instruction under the supervision and direction of an instructor**
18 **and six hours of behind-the-wheel operation under the supervision and direction of an**
19 **instructor.**

20 **4. Notwithstanding subsection 3 of this section, a public school district approved**
21 **to provide driver's education under the provisions of this section may petition the**
22 **highways and transportation commission for a waiver of the behind-the-wheel**
23 **instruction requirement due to inadequate funding in the district to support behind-**
24 **the-wheel training or due to the lack of availability of private, certified, and approved**
25 **driving schools within a reasonable distance. Any school district awarded such a waiver**
26 **shall be required to increase its per-student driving simulation instruction to twelve**
27 **hours.**

28 **5. Upon certification by the commission, a driver's education program shall be**
29 **placed on the approved driver's education list compiled by the Missouri highways and**
30 **transportation commission and submitted to the department of revenue. A student's**
31 **successful completion of an approved driver's education course shall satisfy the driver's**
32 **education licensing requirement established under section 302.212.**

33 **6. The department of transportation may promulgate rules to implement the**
34 **provisions of this section. Any rule or portion of a rule, as that term is defined in section**
35 **536.010, that is created under the authority delegated in this section shall become**
36 **effective only if it complies with and is subject to all of the provisions of chapter 536 and,**
37 **if applicable, section 536.028. This section and chapter 536 are nonseverable and if any**
38 **of the powers vested with the general assembly pursuant to chapter 536 to review, to**
39 **delay the effective date, or to disapprove and annul a rule are subsequently held**
40 **unconstitutional, then the grant of rulemaking authority and any rule proposed or**
41 **adopted after August 28, 2025, shall be invalid and void.**

302.216. 1. (1) There is hereby created in the state treasury the "Driver's
2 **Education Training Fund", which shall consist of moneys collected pursuant to**

3 appropriations of the general assembly, federal grants, private donations, and other
 4 moneys designated for driver's education programs established under section 302.214.
 5 The state treasurer shall be custodian of the fund. In accordance with sections 30.170
 6 and 30.180, the state treasurer may approve disbursements. The fund shall be a
 7 dedicated fund and moneys in this fund shall be used solely by the Missouri highways
 8 and transportation commission for the purposes of funding driver's education programs
 9 established under section 302.214.

10 (2) Notwithstanding the provisions of section 33.080 to the contrary, any moneys
 11 remaining in the fund at the end of the biennium shall not revert to the credit of the
 12 general revenue fund.

13 (3) The state treasurer shall invest moneys in the fund in the same manner as
 14 other funds are invested. Any interest and moneys earned on such investments shall be
 15 credited to the fund.

16 2. The department of transportation shall promulgate all necessary rules and
 17 regulations to establish a procedure for allocation of funds under this section. Any rule
 18 or portion of a rule, as that term is defined in section 536.010, that is created under the
 19 authority delegated in this section shall become effective only if it complies with and is
 20 subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This
 21 section and chapter 536 are nonseverable and if any of the powers vested with the
 22 general assembly pursuant to chapter 536 to review, to delay the effective date, or to
 23 disapprove and annul a rule are subsequently held unconstitutional, then the grant of
 24 rulemaking authority and any rule proposed or adopted after August 28, 2025, shall be
 25 invalid and void.

302.302. 1. The director of revenue shall put into effect a point system for the
 2 suspension and revocation of licenses. Points shall be assessed only after a conviction or
 3 forfeiture of collateral. The initial point value is as follows:

4	(1)	Any moving violation of a state law or county or	2 points
5		municipal or federal traffic ordinance or regulation	
6		not listed in this section, other than a [violation of	1 point)
7		vehicle equipment provisions or a] court-ordered	
8		supervision as provided in section 302.303	
9		(except any violation of municipal stop sign	
10		ordinance where no accident is involved	
11	(2)	Speeding	
12		In violation of a state law	3 points
13		In violation of a county or municipal ordinance	2 points

14	(3)	Leaving the scene of an accident in violation of section 577.060	12 points
15			
16		In violation of any county or municipal ordinance	6 12 points
17			
18	(4)	Careless and imprudent driving in violation of subsection 4 of section 304.016	4 points
19			
20		In violation of a county or municipal ordinance	2 points
21	(5)	Operating without a valid license in violation of subdivision (1) or (2) of subsection 1 of section 302.020:	
22			
23			
24		(a) For the first conviction	2 points
25	(b) For the second conviction	4 points	
26	(c) For the third conviction	6 points	
27	(6)	Operating with a suspended or revoked license prior to restoration of operating privileges	12 points
28			
29	(7)	Obtaining a license by misrepresentation	12 points
30	(8)	For the first conviction of driving while in an intoxicated condition or under the influence of controlled substances or drugs	
31			
32			8 points
33	(9)	For the second or subsequent conviction of any of the following offenses however combined: driving while in an intoxicated condition, driving under the influence of controlled substances or drugs or driving with a blood alcohol content of eight-hundredths of one percent or more by weight	
34			
35			
36			
37			
38			12 points
39	(10)	For the first conviction for driving with blood alcohol content eight-hundredths of one percent or more by weight	
40			
41			
42		In violation of state law	8 points
43		In violation of a county or municipal ordinance or federal law or regulation	8 points
44			
45	(11)	Any felony involving the use of a motor vehicle	12 points
46	(12)	Knowingly permitting unlicensed operator to operate a motor vehicle	
47			
			4 points

48	(13)	For a conviction for failure to maintain financial responsibility pursuant to county or municipal ordinance or pursuant to section 303.025	4 points
49			
50			
51	(14)	Endangerment of a highway worker in violation of section 304.585	4 points
52			
53	(15)	Aggravated endangerment of a highway worker in violation of section 304.585	12 points
54			
55	(16)	For a conviction of violating a municipal ordinance that prohibits tow truck operators from stopping at or proceeding to the scene of an accident unless they have been requested to stop or proceed to such scene by a party involved in such accident or by an officer of a public safety agency	4 points
56			
57			
58			
59			
60			
61	(17)	Endangerment of an emergency responder in violation of section 304.894	4 points
62			
63	(18)	Aggravated endangerment of an emergency responder in violation of section 304.894	12 points
64			

65 2. The director shall, as provided in subdivision (5) of subsection 1 of this section,
 66 assess an operator points for a conviction pursuant to subdivision (1) or (2) of subsection 1 of
 67 section 302.020, when the director issues such operator a license or permit pursuant to the
 68 provisions of sections 302.010 to 302.340.

69 3. An additional two points shall be assessed when personal injury or property
 70 damage results from any violation listed in subdivisions (1) to (13) of subsection 1 of this
 71 section and if found to be warranted and certified by the reporting court. **Twelve points shall
 72 be assessed automatically when serious injury or death results from any violation listed
 73 in subdivisions (1) to (18) of subsection 1 of this section and if found to be warranted and
 74 certified by the reporting court.**

75 4. When any of the acts listed in subdivision (2), (3), (4) or (8) of subsection 1 of this
 76 section constitutes both a violation of a state law and a violation of a county or municipal
 77 ordinance, points ~~may~~ **shall** be assessed for ~~either~~ **the highest** violation but not for both.
 78 Notwithstanding that an offense arising out of the same occurrence could be construed to be a
 79 violation of subdivisions (8), (9) and (10) of subsection 1 of this section, no person shall be
 80 tried or convicted for more than one offense pursuant to subdivisions (8), (9) and (10) of
 81 subsection 1 of this section for offenses arising out of the same occurrence.

82 5. The director of revenue shall put into effect a system for staying the assessment of
 83 points against an operator. The system shall provide that the satisfactory completion of a

84 driver-improvement program or, in the case of violations committed while operating a
85 motorcycle, a motorcycle-rider training course approved by the state highways and
86 transportation commission, by an operator, when so ordered and verified by any court
87 having jurisdiction over any law of this state or county or municipal ordinance, regulating
88 motor vehicles, other than a violation committed in a commercial motor vehicle as defined in
89 section 302.700 or a violation committed by an individual who has been issued a commercial
90 driver's license or is required to obtain a commercial driver's license in this state or any other
91 state, shall be accepted by the director in lieu of the assessment of points for a violation
92 pursuant to subdivision (1), (2) or (4) of subsection 1 of this section or pursuant to subsection
93 3 of this section. The operator shall be given the option to complete the driver-improvement
94 program through an online or in-person course. A court using a centralized violation bureau
95 established under section 476.385 ~~may~~ **shall** elect to have the bureau order and verify
96 completion of a driver-improvement program or motorcycle-rider training course as
97 prescribed by order of the court. For the purposes of this subsection, the driver-
98 improvement program shall meet or exceed the standards of the National Safety Council's
99 eight-hour "Defensive Driving Course" or, in the case of a violation which occurred during
100 the operation of a motorcycle, the program shall meet the standards established by the state
101 highways and transportation commission pursuant to sections 302.133 to 302.137. The
102 completion of a driver-improvement program or a motorcycle-rider training course shall not
103 be accepted in lieu of points more than one time in any thirty-six-month period and shall be
104 completed within sixty days of the date of conviction in order to be accepted in lieu of the
105 assessment of points. Every court having jurisdiction pursuant to the provisions of this
106 subsection shall, within fifteen days after completion of the driver-improvement program or
107 motorcycle-rider training course by an operator, forward a record of the completion to the
108 director, all other provisions of the law to the contrary notwithstanding. The director shall
109 establish procedures for record keeping and the administration of this subsection.

110 **6. The director of revenue shall put into effect a system for reinstating, with a**
111 **partial reduction of points, licenses that were converted to temporary learner's permits**
112 **as provided under subsection 6 of section 302.178. The system shall provide that the**
113 **satisfactory completion of a driver-improvement program shall waive a portion of the**
114 **original points assessed.**

115 **7. Notwithstanding any provision of law to the contrary, no violation for which**
116 **points are assessed under this section shall be reduced or amended to any violation for**
117 **which fewer or no points are assessed under this section for any person under twenty-**
118 **one years of age.**

✓