

SECOND REGULAR SESSION

# HOUSE BILL NO. 2351

## 103RD GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE GALLICK.

5391H.011

JOSEPH ENGLER, Chief Clerk

### AN ACT

To repeal section 302.302, RSMo, and to enact in lieu thereof one new section relating to points for traffic violations.

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

Section A. Section 302.302, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 302.302, to read as follows:

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

(1)	Any moving violation of a state law or county or municipal or federal traffic ordinance or regulation not listed in this section, other than a violation of vehicle equipment provisions or a court-ordered supervision as provided in section 302.303	2 points
	(except any violation of municipal stop sign ordinance where no accident is involved	1 point)
(2)	Speeding	
	In violation of a state law	3 points
	In violation of a county or municipal ordinance	2 points
(3)	Leaving the scene of an accident in violation of section 577.060	12 points
	In violation of any county or municipal ordinance	6 points

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.

17	(4)	Careless and imprudent driving in violation of	
18		subsection 4 of section 304.016	4 points
19		In violation of a county or municipal ordinance	2 points
20	(5)	Operating without a valid license in violation of	
21		subdivision (1) or (2) of subsection 1 of section	
22		302.020:	
23		(a) For the first conviction	2 points
24		(b) For the second conviction	4 points
25		(c) For the third conviction	6 points
26	(6)	Operating with a suspended or revoked license prior	
27		to restoration of operating privileges	12 points
28	(7)	Obtaining a license by misrepresentation	12 points
29	(8)	For the first conviction of driving while in an	
30		intoxicated condition or under the influence of	
31		controlled substances or drugs	8 points
32	(9)	For the second or subsequent conviction of any of	
33		the following offenses however combined: driving	
34		while in an intoxicated condition, driving under the	
35		influence of controlled substances or drugs or	
36		driving with a blood alcohol content of eight-	
37		hundredths of one percent or more by weight	12 points
38	(10)	For the first conviction for driving with blood	
39		alcohol content eight-hundredths of one percent or	
40		more by weight	
41		In violation of state law	8 points
42		In violation of a county or municipal ordinance or	
43		federal law or regulation	8 points
44	(11)	Any felony involving the use of a motor vehicle	12 points
45	(12)	Knowingly permitting unlicensed operator to	
46		operate a motor vehicle	4 points
47	(13)	For a conviction for failure to maintain financial	
48		responsibility pursuant to county or municipal	
49		ordinance or pursuant to section 303.025	4 points
50	(14)	Endangerment of a highway worker in violation of	
51		section 304.585	4 points

(15)	Aggravated endangerment of a highway worker in violation of section 304.585	12 points
(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
(17)	Endangerment of an emergency responder in violation of section 304.894	4 points
(18)	Aggravated endangerment of an emergency responder in violation of section 304.894	12 points
(19)	<b>Failure to secure a load in violation of section 307.010</b>	<b>2 points</b>

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

3. An additional two points shall be assessed when personal injury or property damage results from any violation listed in subdivisions (1) to (13) of subsection 1 of this section and if found to be warranted and certified by the reporting court.

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

5. The director of revenue shall put into effect a system for staying the assessment of points against an operator. The system shall provide that the satisfactory completion of a driver-improvement program or, in the case of violations committed while operating a motorcycle, a motorcycle-rider training course approved by the state highways and transportation commission, by an operator, when so ordered and verified by any court having jurisdiction over any law of this state or county or municipal ordinance, regulating motor vehicles, other than a violation committed in a commercial motor vehicle as defined in section 302.700 or a violation committed by an individual who has been issued a commercial

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

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