

SECOND REGULAR SESSION

HOUSE BILL NO. 2227

94TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVES WILSON (130) (Sponsor), NANCE, NIEVES, PAGE,
RUESTMAN, MCGHEE AND BRUNS (Co-sponsors).

Read 1st time February 21, 2008 and copies ordered printed.

D. ADAM CRUMBLISS, Chief Clerk

4710L.01I

AN ACT

To amend chapter 577, RSMo, by adding thereto one new section relating to impounding vehicles.

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

Section A. Chapter 577, RSMo, is amended by adding thereto one new section, to be
2 known as section 577.016, to read as follows:

3 **577.016. 1. Except as provided in subsection 2 of this section, in addition to any**
4 **other penalty which may be imposed upon a person convicted of a violation of section**
5 **577.010 or 577.012, the court may order that the convicted person's motor vehicle or**
6 **vehicles be impounded or immobilized for a period of up to one year and that the convicted**
7 **person pay all reasonable towing, impoundment, and storage fees or other immobilization**
8 **costs.**

9 **2. The court shall not order the impoundment or immobilization of a motor vehicle**
10 **driven by a person convicted of a violation of section 577.010 or 577.012 if the motor**
11 **vehicle had been stolen or converted at the time it was driven in violation of said sections.**

12 **3. Prior to ordering the impoundment or immobilization of a motor vehicle or**
13 **vehicles owned by a person convicted of a violation of section 577.010 or 577.012, the court**
14 **shall consider, but not be limited to, the following:**

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.

13 **(1) Whether the impoundment or immobilization of the motor vehicle would result**
14 **in the loss of employment by the convicted person or a member of such person's family;**
15 **and**

16 **(2) Whether the ability of the convicted person or a member of the convicted**
17 **person's family to attend school or obtain medical care would be impaired.**

18 **4. Any personal property in a vehicle impounded pursuant to this subsection may**
19 **be retrieved prior to or during the period of such impoundment or immobilization.**

20 **5. If the owner or lessee of a motor vehicle which has been impounded pursuant to**
21 **this section refuses to pay any towing, impoundment, storage, or other fees relating to the**
22 **impoundment or immobilization of such vehicle or fails to take possession of such vehicle**
23 **within thirty days following the date of the expiration of the impoundment period, such**
24 **vehicle shall be deemed abandoned and the vehicle may be disposed of under the**
25 **provisions of chapter 304, RSMo, by the person having possession of such vehicle.**

26 **6. As used in this section, the convicted person's motor vehicle or vehicles shall**
27 **include any vehicle leased by such person. If the lease on the convicted person's motor**
28 **vehicle subject to impoundment or immobilization expires in less than one year from the**
29 **date of the impoundment or immobilization, the time of impoundment or immobilization**
30 **of such vehicle shall be the amount of time remaining on the lease.**

31 **7. The provisions of this section shall not apply to any motor vehicle that is jointly**
32 **titled or leased.**

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