

HCS HB 1540 -- INFRACTIONS

This bill increases the penalty for certain motor vehicle violations from an infraction to a class C misdemeanor or from a class C misdemeanor to a class B misdemeanor when a violation causes an immediate threat of an accident. Any person operating a commercial vehicle in violation of Section 307.400, RSMo, will be guilty of a class B misdemeanor instead of an infraction.

Beginning January 1, 2012, the bill requires the judicial procedure for an infraction to be the same as for a misdemeanor. If a defendant fails to appear in court solely for an infraction or for an infraction committed in the same course of conduct as a criminal offense or fails to respond to a notice of an infraction from the Central Violations Bureau, the court may issue a default judgment for court costs and fines for the infraction unless the court determines that good cause or excusable neglect exists for the defendant's failure to appear. A court may issue a warrant for failure to appear for any violation which is classified as an infraction.

The bill repeals and re-enacts provisions requiring a person to obey any signal or direction given by a law enforcement officer while traveling on a road when the officer is enforcing an infraction. A person who refuses to obey any signal or direction or who willfully resists a law enforcement officer who is in the course of enforcing an infraction will be guilty of a class A misdemeanor.

The bill contains an emergency clause for the provisions regarding judicial procedures for infractions and obeying any signal or direction of a law enforcement officer while traveling on a road.