

FIRST REGULAR SESSION

HOUSE BILL NO. 915

96TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVES PARKINSON (Sponsor) AND ATKINS (Co-sponsor).

1987L.011

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To repeal section 303.025, RSMo, and to enact in lieu thereof one new section relating to motor vehicle financial responsibility, with an existing penalty provision.

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

Section A. Section 303.025, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 303.025, to read as follows:

303.025. 1. No owner of a motor vehicle registered in this state, or required to be registered in this state, shall operate, register or maintain registration of a motor vehicle, or permit another person to operate such vehicle, unless the owner maintains the financial responsibility which conforms to the requirements of the laws of this state. No nonresident shall operate or permit another person to operate in this state a motor vehicle registered to such nonresident unless the nonresident maintains the financial responsibility which conforms to the requirements of the laws of the nonresident's state of residence. Furthermore, no person shall operate a motor vehicle owned by another with the knowledge that the owner has not maintained financial responsibility unless such person has financial responsibility which covers the person's operation of the other's vehicle; however, no owner or nonresident shall be in violation of this subsection if he or she fails to maintain financial responsibility on a motor vehicle which is inoperable or being stored and not in operation. The director may prescribe rules and regulations for the implementation of this section.

2. A motor vehicle owner shall maintain the owner's financial responsibility in a manner provided for in section 303.160, or with a motor vehicle liability policy which conforms to the requirements of the laws of this state. A nonresident motor vehicle owner shall maintain the

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 owner's financial responsibility which conforms to the requirements of the laws of the
18 nonresident's state of residence.

19 3. Any person who violates this section is guilty of a class C misdemeanor. However,
20 no person shall be found guilty of violating this section if the operator demonstrates to the court
21 that he or she met the financial responsibility requirements of this section at the time the peace
22 officer, commercial vehicle enforcement officer or commercial vehicle inspector wrote the
23 citation. In addition to any other authorized punishment, the court shall notify the director of
24 revenue of any person convicted pursuant to this section and shall do one of the following:

25 (1) Enter an order suspending the driving privilege as of the date of the court order. If
26 the court orders the suspension of the driving privilege, the court shall require the defendant to
27 surrender to it any driver's license then held by such person. The length of the suspension shall
28 be as prescribed in subsection 2 of section 303.042. The court shall forward to the director of
29 revenue the order of suspension of driving privilege and any license surrendered within ten days;

30 (2) Forward the record of the conviction for an assessment of four points;

31 (3) In lieu of an assessment of points, render an order of supervision as provided in
32 section 302.303. An order of supervision shall not be used in lieu of points more than one time
33 in any thirty-six-month period. Every court having jurisdiction pursuant to the provisions of this
34 section shall forward a record of conviction to the Missouri state highway patrol, or at the written
35 direction of the Missouri state highway patrol, to the department of revenue, in a manner
36 approved by the director of the department of public safety. The director shall establish
37 procedures for the record keeping and administration of this section; or

38 (4) For a nonresident, suspend the nonresident's driving privileges in this state in
39 accordance with section 303.030 and notify the official in charge of the issuance of licenses and
40 registration certificates in the state in which such nonresident resides in accordance with section
41 303.080.

42 4. **Any person who fails to provide proof of financial responsibility in accordance**
43 **with section 303.160 when required under this chapter shall have the motor vehicle such**
44 **person was operating impounded until such time as the person provides valid proof of**
45 **financial responsibility and pays all fees, if any, incurred regarding the impoundment of**
46 **such motor vehicle.**

47 5. Nothing in sections 303.010 to 303.050, 303.060, 303.140, 303.220, 303.290, 303.330
48 and 303.370 shall be construed as prohibiting the department of insurance, financial institutions
49 and professional registration from approving or authorizing those exclusions and limitations
50 which are contained in automobile liability insurance policies and the uninsured motorist
51 provisions of automobile liability insurance policies.

52 [5.] **6.** If a court enters an order of suspension, the offender may appeal such order
53 directly pursuant to chapter 512 and the provisions of section 302.311 shall not apply.

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