

SECOND REGULAR SESSION

HOUSE BILL NO. 2255

98TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE JONES.

5732H.02I

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To repeal section 302.440, RSMo, and to enact in lieu thereof two new sections relating to ignition interlock devices.

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

Section A. Section 302.440, RSMo, is repealed and two new sections enacted in lieu thereof, to be known as sections 302.440 and 302.441, to read as follows:

302.440. In addition to any other provisions of law, a court may require that any person who is found guilty of a first intoxication-related traffic offense, as defined in section 577.001, and a court shall require that any person who is found guilty of a second or subsequent intoxication-related traffic offense, as defined in section 577.001, shall not operate any motor vehicle unless that vehicle is equipped with a functioning, certified ignition interlock device for a period of not less than six months from the date of reinstatement of the person's driver's license. In addition, any court authorized to grant a limited driving privilege under section 302.309 to any person who is found guilty of a second or subsequent intoxication-related traffic offense shall require the use of an ignition interlock device on all vehicles operated by the person as a required condition of the limited driving privilege, **except as provided in section 302.441**. These requirements shall be in addition to any other provisions of this chapter or chapter 577 requiring installation and maintenance of an ignition interlock device. Any person required to use an ignition interlock device shall comply with such requirement subject to the penalties provided by section 577.599.

302.441. 1. If a person is required to have an ignition interlock device installed on such person's vehicle, he or she may apply to the court for an employment exemption variance to allow him or her to drive an employer-owned vehicle not equipped with an

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.

4 **ignition interlock device for employment purposes only. Such exemption shall not be**
5 **granted to a person who is self-employed or who wholly or partially owns an entity that**
6 **owns an employer-owned vehicle.**

7 **2. A person who is granted an employment exemption variance under subsection**
8 **1 of this section shall not drive, operate, or be in physical control of an employer-owned**
9 **vehicle used for transporting children under eighteen years of age or vulnerable persons,**
10 **as defined in section 630.005, or an employer-owned vehicle for personal use.**

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