

SECOND REGULAR SESSION

# HOUSE BILL NO. 1658

## 96TH GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVES MOLENDORP (Sponsor), GUERNSEY, PHILLIPS,  
KELLEY (126), BURLISON, LICHTENEGGER AND TORPEY (Co-sponsors).

5314L.02I

D. ADAM CRUMBLISS, Chief Clerk

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### AN ACT

To repeal section 303.025, RSMo, and to enact in lieu thereof one new section relating to the duty to maintain motor vehicle financial responsibility, with a penalty provision.

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*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Section A. Section 303.025, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 303.025, to read as follows: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 misdemeanor. A first violation of  
20 this section shall be punishable by a fine [not to exceed] **of** three hundred dollars. A second or  
21 subsequent violation of this section shall be punishable by imprisonment in the county jail for  
22 a term not to exceed fifteen days [and/or] **and** a fine [not to exceed three] **of five** hundred dollars.  
23 Prior pleas of guilty and prior findings of guilty shall be pleaded and proven in the same manner  
24 as required by section 558.021. However, no person shall be found guilty of violating this  
25 section if the operator demonstrates to the court that he or she met the financial responsibility  
26 requirements of this section at the time the peace officer, commercial vehicle enforcement officer  
27 or commercial vehicle inspector wrote the citation. In addition to any other authorized  
28 punishment, the court shall notify the director of revenue of any person convicted pursuant to this  
29 section and shall do one of the following:

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

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

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

43         (4) For a nonresident, suspend the nonresident's driving privileges in this state in  
44 accordance with section 303.030 and notify the official in charge of the issuance of licenses and  
45 registration certificates in the state in which such nonresident resides in accordance with section  
46 303.080.

47         4. 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. If a court enters an order of suspension, the offender may appeal such order directly  
53 pursuant to chapter 512 and the provisions of section 302.311 shall not apply.

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