

RESPONDER ANSWERS

- 1) YES
RSMo 302.540
No person who has had a license to operate a motor vehicle suspended or revoked under the provisions of sections 302.500 to 302.540 shall have that license reinstated until such person has participated in and successfully completed a substance abuse traffic offender program defined in section 302.010, or a program determined to be comparable by the department of mental health....
- 2) NO
RSMo
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
- 3) NO
37.71(a) Sup Court Rule
An application for trial de novo shall be filed as provided by law. No judge may order an extension of time for filing or perfecting an application for trial de novo.
Although Rule 37.09(b) allows the court to enlarge (extend) certain time limits for good cause, the same rule specifically states that the period of time for filing a application for trial de novo cannot be enlarged under any circumstances. (See Rule 37.71(a).)
- 4) YES
The Missouri Safety Center has 8 Approved Online Programs
- 5) NO
302.302 Section 5
The director of revenue shall put into effect a system for staying the assessment of points against an operator. The system shall provide that the satisfactory completion of a driver improvement program.....shall be accepted by the director in lieu of the assessment of points for a violation pursuant to.....
(...other than a violation committed by an individual who has been issued a commercial driver's license.....)
- 6) YES
577.525RSMO
Any court which has jurisdiction over violations of state, county or municipal laws shall enter an order, in addition to other orders authorized by law, requiring the completion of a substance abuse traffic offender program as defined in section 577.001, as a part of the judgment entered in the case, for

any person determined to have violated a state, county, or municipal law involving the possession or use of alcohol and who at the time of said offense was under twenty-one years of age when the court, if a juvenile court, finds that the offense was committed by such person or, if a city, county, or state court, when the person pleads guilty, or is found guilty of such offense by the court.

7) CONCURRENTLY

37.64(g) Missouri Supreme Court Rule

Conviction of Two or More Sentences. When pronouncing sentence, the judge shall state whether the sentence shall run consecutively or concurrently with sentences on one or more ordinance violations for which defendant is being sentenced or for which defendant has been previously sentenced. If the judge fails to do so at the time of pronouncing the sentences, the respective sentences shall run concurrently.

8) YES

544.045 RSMo

Notwithstanding the fact that the officer authorized by law or rule of court to accept bail authorizes the person arrested to deposit his license to operate a motor vehicle as his security for his appearance in court, in lieu of depositing his license to operate a motor vehicle, the person arrested may decline to deposit his license to operate a motor vehicle as security and instead deposit a bond with the officer authorized by law or rule of court to accept bail or other such officer demanding bail in the amount of fifty dollars per traffic offense allegedly committed. The officer shall issue a receipt for such a bond to the person and deposit the bond with the judge, court clerk or other officer requiring security for a court appearance.

9) NO

301.140 Rsmo

Upon the transfer of ownership of any motor vehicle... the number plates shall expire and the number plates shall be removed by the owner at the time of the transfer... except that the buyer of a motor vehicle or trailer who trades in a motor vehicle or trailer may attach the license plates from the traded-in motor vehicle or trailer to the newly purchased motor vehicle or trailer. The operation of a motor vehicle with such transferred plates shall be lawful for no more than thirty days

10) NO

4.2 MCM

..... fee is not assessed when the case or defendant is dismissed or when costs are to be paid by the state, county, or municipality....

- 11) YES
A court of competent jurisdiction shall, upon a plea of guilty, conviction or finding of guilt, or, if the court is a juvenile court, upon a finding of fact that the offense was committed by a juvenile, enter an order suspending or revoking the driving privileges of any person determined to have committed one of the following offenses and who, at the time said offense was committed, was under twenty- one years of age
*Any alcohol-related traffic offense while under 21 and represented or waived in writing
* involving the possession or use of alcohol, committed while operating a motor vehicle and represented or waived in writing
* Any offense involving the possession or use of a controlled substance and represented or waived in writing (does not have to be operating a vehicle)
* Any offense involving the alteration, modification or misrepresentation of a license to operate a motor vehicle
*Any offense involving the possession or use of alcohol for a second time and both offenses occurred when under 18 and represented or waived in writing
- 12) NO
304.009 RSMo
No points shall be assessed pursuant to section 302.302 for any speeding violation which is over the posted speed limit by five miles per hour or less
- 13) YES
3.3 MCM
If a person is charged with any offense for which fingerprints are required to be submitted to the central repository, and the defendant has not been fingerprinted, the court shall order a law enforcement agency to immediately fingerprint the person. The law enforcement agency must perform the fingerprinting and submit the completed fingerprint card to the central repository and furnish the city prosecutor and clerk of the court ordering the fingerprinting with the OCN within 30 days of the order
- 14) 3 Months
303.175 RSMo
Every private passenger motor vehicle liability policy issued to meet the requirements of this chapter shall have a minimum term of three months
- 15) YES – Supreme Ct Rule 21.01(21)
OSCA recommends that the courts only assess and collect the fee when accepting phone or on line payments unless the agreement with the credit card company states that a fee can be imposed.
- 16) Yes
304.009 RSMo

Notwithstanding any provisions of law to the contrary, a court may issue a warrant for failure to appear for any violation which is classified as an infraction

- 17) YES
577.600 RSMO
a court shall require that any person who is found guilty of or pleads guilty to a second or subsequent intoxication-related traffic offense, as defined in section 577.023, 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.
- 18) NO
577.054 RSMo
The provisions of this section shall not apply to any individual who has been issued a commercial driver's license or is required to possess a commercial driver's license issued by this state or any other state.
- 19) NO
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
- 20) YES
The person filing the motion for expungement must provide proof of service of his Petition for Expungement on the Missouri Director of Revenue. T.L.D. v. Missouri Director of Revenue 879 S.W.2d 636 (W.D. 1994).