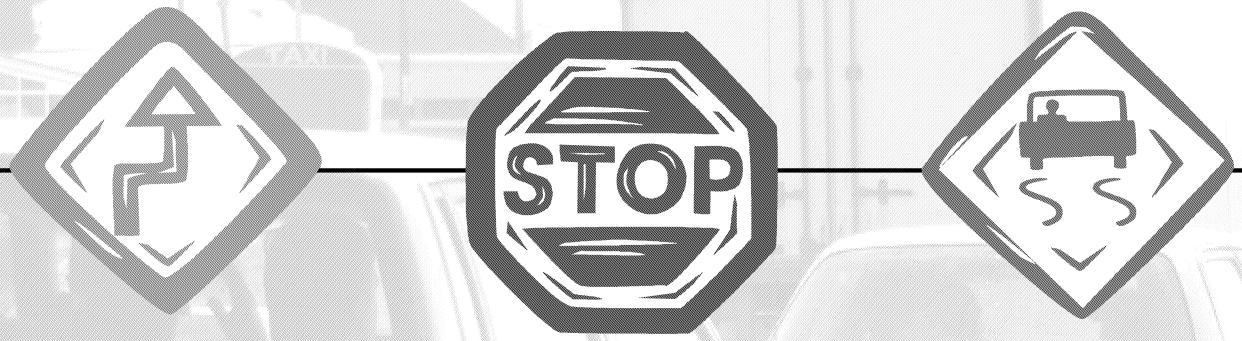
Traffic Bench Guide



September 2020

6th Edition

Foreword

Since the fourth edition of this bench guide was published, there have been a number of legislative changes that affect traffic offenses. Among others, there have been significant changes in the requirements for municipal violations, legal financial obligations, DWI offenses and expungements.

This booklet was designed with the intent of providing a quick reference manual for the use of judges, prosecutors and lawyers.

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INDEX

Charges 3

Driving While Intoxicated 64

Abuse and Lose 68

Ignition Interlock 72

Limited Driving Privileges 76

Expungements 78

Fingerprinting 84

Infractions 86

Driver Improvement 88

Municipal Information 90

Uniform Fine Schedule 95

Legal Financial Obligations 96

Failure to Appear 100

Commercial Driver's License 102

Foreign and International Driver's License 114

Petition for Review 116

Reinstatement 120

Appendix 136

CR105 – Order to Install Ignition Interlock Device
CV210 – Order Granting Limited Driving Privileges
CV215 – Order to Terminate Limited Driving Privileges
CR143 – Order for Expungement of Arrest Record
CR145 – Petition for Expungement of Arrest Record
CR300 – Petition for Correction of Arrest/Court Records – Identity Theft
CR310 – Order for Correction of Arrest/Court Records – Identity Theft
CR301 – Petition for Expungement – Mistaken Identity
CR311 – Order for Expungement – Mistaken Identity
CR360 – Petition for Expungement – Section 610.140, RSMo.
CR370 – Order for Expungement – Section 610.140, RSMo.
CR102 – Order for Fingerprinting
Lawful Enforcement of Legal Financial Obligations; a Bench Card for Judges

EXPLANATION OF TERMS

ROC?	Indicates that the record of conviction is reportable to DOR, * indicates reportable if involving the operation of a MV.
F/P OCN	Fingerprint/Offense Cycle Number.
UFS	Uniform Fine Schedule.
CDL	Commercial Drivers License impact. *See* CDL section for impact of serious traffic violation.

FINES FOR MISDEMEANORS AND INFRACTIONS, §558.002 RSMO

For a class A misdemeanor	not to exceed two thousand dollars;
For a class B misdemeanor	not to exceed one thousand dollars;
For a class C misdemeanor	not to exceed seven hundred fifty dollars;
For a class D misdemeanor	not to exceed five hundred dollars;
For an infraction	not to exceed four hundred dollars.

FINES FOR ORDINANCE VIOLATIONS, §77.590 & 479.353 RSMO

For an ordinance violation	not to exceed five hundred dollars
For a minor traffic violation	not to exceed two hundred and twenty-five dollars

AUTHORIZED TERMS OF IMPRISONMENT, §558.011 RSMO

For a class A felony	a term of 10-30 years, or life imprisonment;
For a class B felony	a term of 5-15 years;
For a class C felony	a term of 3-10 years;
For a class D felony	a term not to exceed 7 years;
For a class E felony	a term not to exceed 4 years;
For a class A misdemeanor	a term not to exceed one year;
For a class B misdemeanor	a term not to exceed six months;
For a class C misdemeanor	a term not to exceed fifteen days.

CHARGES

For any moving violation, as defined in Section 302.010 RSMo, or offense listed in Section 302.302 RSMo that occurs in a construction or work zone assess an additional fine of $35.00 for a first offense and $75.00 for a second or subsequent offense.

For any moving violation, as defined in Section 302.010 RSMo, or offense listed in Section 304.892 RSMo, that occurs in an active emergency zone assess an additional fine of $35.00 for a first offense and $75.00 for a second or subsequent offense.

For any speeding violation, as defined in Sections 304.009 or 304.010 RSMo, or passing violation, as defined in Section 304.892.3 RSMo, that occurs in an active emergency zone where responders are present assess an additional fine of $250.00 for a first offense and $300.00 for a second or subsequent offense.

F/P OCN INFORMATION:

Information about the fingerprinting requirement is found within the charge code number itself, represented by a 'Y' or 'N'. If 'Y', then a fingerprint card is required and a judge may need to sign an order for fingerprinting. If 'N', then no order for fingerprinting is required. For more information see Fingerprinting section within this guide.

CHARGE CODE	TYPE/ CLASS		DESCRIPTION	ROC?	POINTS	SPECIAL PENALTIES / CIRCUMSTANCES	UFS Fine	CDL
43.170-001Y202048._	Misd	A	Willfully resists/opposes a member of the patrol in the proper discharge of duties	N				
43.170-002Y202048._	Misd	A	Failed to stop or obey reasonable signal direction of hwy patrolman	Y	2			
43.405-001Y202048._	Misd	A	Making false report of missing person(s)	N				
43.600-001N202048._	Misd	B	Filing false report on highway patrol emergency telephone system	N				
142.830-001Y201554._	Misd	A	Operated as an inter-state motor fuel user without being licensed as such	N				
142.869-001N202061._	Infr		Violate provisions of Sec 142.869 re alternative fuel decal	N				
142.869-002N199954._	Infr		Operated Mtr Veh Required To Have Alternative Fuel Decal Upon Hwy Without Valid Decal	N				
142.869-003N199954._	Infr		Put/Cause To Be Put Alternative Fuel Into Mtr Veh On Which No Alternative Fuel Decal Is Attached Or Taxes Paid	N				
142.869-004N199954._	Infr		Seller Of Alterntve Fuel Fail To Prop Record Sale Of Alterntve Fuel Put In Veh Displaying Alterntve Fuel Decal	N				
142.905-001Y202061._	Misd	A	Motor vehicle fuel tax evasion	N		License revocation		
142.914-001Y202061._	Misd	A	Motor vehicle fuel transportation ofns - 2nd and subsequent offense	N				
142.914-002N202061._	Misd	B	Motor vehicle fuel transportation offense	N				
142.923-001Y202061._	Misd	A	Sell/use/deliver/store/import for sale/use/delivery/storage motor fuel when no tax pd	N		Seizure and impoundment of vehicle and cargo		
142.926-001N202054._	Misd	A	Transport dyed fuel without nontaxable use statement on shipping paper	N				
142.929-001Y202061._	Misd	A	Violation of importation of fuel laws	N		1st offense - fine only		
142.932-001Y202061._	Misd	A	Evasion of tax related to motor fuel with dye	N				

CHARGE CODE	TYPE/ CLASS		DESCRIPTION	ROC?	POINTS	SPECIAL PENALTIES / CIRCUMSTANCES	UFS Fine	CDL
142.944-001Y202061._	Misd	A	Refusing inspection of motor fuel records in order to evade tax	N		A civil penalty of $5,000 shall be imposed in addition to criminal penalty		
226.720-001N202055._	Misd	A	Unscreened junkyards near state and county roads prohibited - 2nd or subsequent offense	N				
226.720-002N202055._	Misd	C	Unscreened junkyards near state and county roads prohibited - 1st offense	N				
229.150-001N197554._	Misd		Obstructed/damaged/changed location of public road (willfully or knowingly)	N		Fine $5 - $200 – 6 months jail		
229.210-001N197554._	Misd		Drove on bridge/hwy under construction/improvement that was closed by barriers	Y	2	Fine $5 - $100 – only		
253.155-001N202073._	Misd		Operating a motor veh in a non-designated area in a state park	Y	2			
253.160-001N199754._	Misd		Exceeded the speed limit in a state park	Y	3			Will count as serious traffic violation if speed is 15 MPH or more over speed limit
269.020-001N202055._	Misd		Violating provisions regarding disposal of dead animals	N		Civil penalty of up to $1,000 may be imposed		
571.030-012Y202052._	Misd	B	Unlawful Use Of Weapon - Subsection 6 - Discharge Into School, Courthouse Or Church	N				
571.030-013Y202052._	Misd	B	Unlawful Use Of Weapon - Subsection 7 - Discharge Along Highway Or Into Out Building	N				
571.030-014Y202052._	Misd	B	Unlawful Use Of Weapon - Subsection 8 - Carry Into Church, Election Precinct, Govt Bldg	N				
575.145-001Y202048._	Misd	A	Willfully Fail/Refuse To Obey Or Resist/Oppose A LEO or Firefighter In The Proper Discharge Of Their Duties	N				
643.355-001N199454._	Misd	B	Misrepresent inspection station/manufacturer/possession of illegal inspection - prior offender; use of illegal certificate of registration/operation of vehicle without inspection - 3rd offense	N				
643.355-002N199454._	Misd	C	Misrepresent inspection station/manufacturer/possession of illegal inspection - prior offender; use of illegal certificate of registration/operation of vehicle without inspection - 2nd offense	N				
643.355-004N199454._	Infr		Violate requirements of Sections 643.300 - 643.355 or rules regarding emissions inspections	N				

NEW CHARGE CODE	TYPE/ CLASS		DESCRIPTION	ROC?	POINTS	SPECIAL PENALTIES / CIRCUMSTANCES	UFS	CDL
301.010-001N201054._	Infr		Violate provisions of Sec 301.010(27) regarding local log truck weight limits	N			Calculated Wt. Fine	
301.010-002N201054._	Infr		Violate provisions of Sec 301.010(27) regarding local log truck dimension limits	N			$50.50	
301.010-003N201054._	Infr		Violate provisions of Sec 301.010(28) regarding local log truck tractor weight limits	N			Calculated Wt. Fine	
301.010-004N201054._	Infr		Violate provisions of Sec 301.010(28) regarding local log truck tractor axle limits	N			$50.50	
301.020-001N198654._	Misd	B	Failure to register mtr veh/trailer annually with DOR	N		DOR late filing penalty will apply when registration occurs	$50.50	
301.020-002N198654._	Misd	B	Owner/Lien holder failed to surrender title of reconstructed vehicle to DOR	N			$50.50	
301.020-003N194954._	Misd	B	Fail to register out-of-state registered veh/trl in MO when MO resident	N		DOR late filing penalty will apply when registration occurs	$50.50	
301.020-004N194954._	Misd	B	Fail to register comm property carrying vehicle for sufficient gross weight	N			$50.50	
301.020-005N194954._	Misd	B	Fail to register comm passenger carrying vehicle for the seating capacity	N			$50.50	
301.020-006N194954._	Misd	B	Fail to register comm property/passenger carrying veh for beyond local oper	N			$50.50	
301.020-007N194954._	Misd	B	Fail to register veh as comm mtr veh when veh is so designed/const/modified	N			$50.50	
301.041-001N200454._	Misd	A	Fail to display registration plate on comm mtr veh	N			Not UFS	
301.069-002N200454._	Misd	A	Use a revoked driveaway license plate	N			Not UFS	
301.069-001N201254._	Infr		Violate driveaway license plate restrictions	N			Not UFS	
301.074-001N200954._	Infr		Fail to furnish annual proof of veh inspec and disability to DOR when issued a disabled vet license	N			$50.50	
301.114-001N198454._	Misd	A	Operate as motor vehicle title service agent without a license	N			Not UFS	
301.130-001N200954._	Infr		Fail to properly affix or display tab on motor vehicle license plate	N			$50.50	
301.130-002N200954._	Infr		Fail to display plates on mtr veh/trl	N			$50.50	
301.130-003N200954._	Infr		Fail to properly affix/fasten to or maintain motor vehicle/trailer plates	N			$50.50	
301.131-001N200954._	Infr		Exceeded 1000 miles personal use of historic motor vehicle	N		Plates revoked upon conviction.	$50.50	
301.131-002N200954._	Infr		Displayed historic plates when vehicle used for purposes other than exhibition/education	N		Plates revoked upon conviction.	$50.50	

NEW CHARGE CODE	TYPE/ CLASS		DESCRIPTION	ROC?	POINTS	SPECIAL PENALTIES / CIRCUMSTANCES	UFS	CDL
301.131-003N200954._	Infr		Historic motor vehicle owner failed to maintain mileage log	N		Plates revoked upon conviction.	$50.50	
301.133-001N200954._	Infr		Oper unlicensed self-propelled construction eqmt on Saturday/Sunday/legal holiday	N			$50.50	
301.140-001N200954._	Infr		Displayed/possessed mtr veh/trl plates of another person	N			$50.50	
301.140-002N200954._	Infr		Failure to transfer plates of vehicle within 30 days	N			$50.50	
301.141-001N202026._	Misd	B	Physician or other health care practitioner falsely verify/certify a disability for a license plate	N			Not UFS	
301.141-002N200554._	Misd	B	Fraudulently obtain or use a disabled person license plate or windshield placard	N			$80.50	
301.142-001N198626._	Misd	B	Improper certification for disabled license plate or windshield placard	N			Not UFS	
301.142-002N202054._	Misd	A	Fraudulent appl/renew/issue of disabled person license plate or windshield placard	N			Not UFS	
301.142-003N200554._	Misd	B	Fail to return handicap license plate/windshield placard of deceased person	N			Not UFS	
301.143-001N200554._	Misd	B	Use handicap license/placard without authorization	N			Not UFS	
301.143-002N198654._	Infr		Parked in space reserved for physically disabled person without proper license/card	N			$50.50	
301.150-001N200954._	Infr		Failed to remove monthly series license plate on sale and or transfer of vehicle ownership	N			$50.50	
301.190-001N200954._	Infr		Operated mtr veh/trl that no title has been issued for by DOR since veh was acquired/built	N			$80.50	
301.190-002N200954._	Infr		Fail to collect fee ID/OD verification	N			$50.50	
301.198-001N200454._	Misd	C	Knowingly submit false information about transfer of a vehicle	N			$130.50	
301.198-002N200654._	Misd	C	Fraudulently fail to submit notice of transfer	N			$130.50	
301.198-003N200454._	Infr		Fail to submit notice of transfer	N			$50.50	
301.200-001N202054._	Infr		Dealer failed to deliver bill of sale on prescribed form	N			$30.50	
301.210-001N200954._	Infr		Sell/purchase mtr veh or trailer registered in this state w/o transferring certificate of ownership	N			$50.50	
301.210-002N200954._	Infr		Failure to deliver/receive certificate of ownership upon sale/transfer of ownership of motor vehicle/trailer	N			$50.50	
301.218-001N198654._	Misd	A	Conducted business of selling used motor vehicle parts w/o license from DOR	N			Not UFS	
301.218-002N198654._	Misd	A	Conducted motor vehicle salvage business without license from DOR	N			Not UFS	

NEW CHARGE CODE	TYPE/ CLASS		DESCRIPTION	ROC?	POINTS	SPECIAL PENALTIES / CIRCUMSTANCES	UFS	CDL
301.218-003N198654._	Misd	A	Conduct business of reblding/repair 4 or more wrecked/dismantled veh in calendar yr w/o license from DOR	N			Not UFS	
301.218-004N198654._	Misd	A	Conducted mobil business of scrapping vehs/parts for metal w/o license from DOR	N			Not UFS	
301.218-005N198654._	Misd	A	Operator of salvage pool sold veh to person not licensed as salvage dealer	N			Not UFS	
301.218-006N198654._	Misd	A	Salvage pool operator failed to maintain proper record of vehicle sales	N			Not UFS	
301.225-001N198654._	Misd	A	Business selling used vehicle parts failed to maintain records/open for inspection	N			Not UFS	
301.225-002N198654._	Misd	A	Business salvaging vehs failed to maintain records/open records for inspection	N			Not UFS	
301.225-003N198654._	Misd	A	Business rebuilding vehs failed to maintain records/open records for inspection	N			Not UFS	
301.225-004N198654._	Misd	A	Scrap metal processor failed to maintain records/open records for inspection	N			Not UFS	
301.227-001N198654._	Misd	A	Scrap metal operator acquired mtr veh/ parts w/o receiving title	N			Not UFS	
301.227-002N198654._	Misd	A	Scrap metal operator failed to forward title to DOR within 10 days	N			Not UFS	
301.227-003N198654._	Misd	A	Scrap metal operator failed to maintain proper records	N			Not UFS	
301.266-001N199354._	Misd	A	Operated vehicle for hire/carried load while operation under a hunter's permit	N			$130.50	
301.271-001N200954._	Infr		Failed to register nonresident commercial motor vehicle (no reciprocal agreement)	N			$130.50	
301.277-001N200954._	Infr		Operated comm mtr veh while reg revoked by MO HRC for failure to pay fees	N			$130.50	
301.277-002N200954._	Infr		Failed to register nonresident comm mtr veh (reciprocal agreement)	N			$130.50	
301.280-001N201254._	Misd	A	Make a false statement/ommission in monthly sales report to DOR	N			Not UFS	
301.300-001N200954._	Infr		Failed to file for duplicate mtr veh/trl plate/tab/certificate of ownership within 5 days of loss/mutilation	N			$50.50	
301.310-001N200954._	Infr		Failure to surrender mutilated or worn plate when duplicate issued	N			$50.50	
301.320-001N200954._	Infr		Displayed unlawful plate/placard on mtr veh/trl	N			$50.50	
301.330-001N200954._	Infr		Failed to display name/address on commercial motor vehicle	N			$50.50	
301.380-001N200954._	Infr		Failure to collect fee for homemade trailer verification	N			$50.50	
301.420-001N202054._	Misd	C	Made false statement in ownership/registration/application/ownership agreement	N			$130.50	

NEW CHARGE CODE	TYPE/ CLASS		DESCRIPTION	ROC?	POINTS	SPECIAL PENALTIES / CIRCUMSTANCES	UFS	CDL
301.559-002Y202073._	Misd	A	Failure of a motor vehicle dealer/manufacturer - boat dealer/manufacturer to obtain a license - 1st ofns	N		Subsequent offense is a Felony E	Not UFS	
301.562-001N201254._	Misd	A	Failure of motor vehicle dealer to surrender license or plates on demand	N			Not UFS	
301.563-001N202073._	Misd	B	Refusal of subpoena from DOR - refusal to be sworn - produce evidence	N			Not UFS	
301.570-001Y201754._	Fel	E	Sale of 6 or more motor vehicles in calendar year without being registered as motor vehicle dealer - 2nd or subsequent offense	N			Not UFS	
301.570-002Y201254._	Misd	A	Sale of 6 or more motor vehicles in calendar year without being registered as motor vehicle dealer	N			Not UFS	
301.580-001N201254._	Misd	A	Fail to submit required report to DOR of special event motor vehicle auction sales	N			Not UFS	
301.620-001N200354._	Misd	A	Failure to name lienholder in application for title	N			Not UFS	
301.703-001N202054._	Infr		Failure to obtain certificate of ownership for ATV	N			$50.50	
301.707-001N202054._	Infr		Operating unregistered ATV	N			$50.50	

NEW CHARGE CODE	TYPE/ CLASS		DESCRIPTION	ROC?	POINTS	SPECIAL PENALTIES / CIRCUMSTANCES	UFS Fine	CDL
302.020-003Y201754._	Misd	D	Operated vehicle on highway without valid license - 1st offense	Y	2 4 6		Not UFS	Serious offense when committed in a CMV.
302.020-004Y201754._	Misd	A	Operated vehicle on highway without valid license - 2nd offense	Y	2 4 6		Not UFS	Serious offense when committed in a CMV.
302.020-005Y201754._	Misd	D	Operated motorcycle when driver's license not valid for such operation-1st offense	Y	2 4 6		Not UFS	
302.020-006Y201754._	Misd	A	Operated motorcycle when driver's license not valid for such operation-2nd offense	Y	2 4 6		Not UFS	
302.020-007N201654._	Misd		Permitted unvalidated licensee to operate motorcycle - 1st offense	Y	4		Not UFS	
302.020-008Y202054._	Misd		Operate vehicle with an instruction permit or license issued to another - 1st offense	Y	2		Not UFS	
302.020-009N201154._	Misd	C	Permitted unvalidated licensee to operate motorcycle - 2nd or subsequent offense	Y	4		$70.50	
302.020-010N201154._	Misd	C	Operate vehicle with an instruction permit or license issued to another - 2nd or subsequent offense	Y	2		Not UFS	
302.020-011N199554._	Infr		Failed to wear protective/approved headgear when on motorcycle in motion	N		Fine $0-$25; no costs may be assessed	$25.00	
302.175-001N201454._	Misd	A	Failed to comply with condition of restricted drivers license (for vision)	Y	2		Not UFS	
302.178-001N200654._	Infr		Violate provisions of Sec's 302.130 or 302.178 re intermediate driver's license or temp instruction permit	N			Not UFS	
302.200-001Y201554._	Misd		Operated motor veh without obtaining new driver's license after being revoked/suspended	Y	12	SIS prohibited; 48 hrs. incarc. mandatory unless ct. orders at least 10 days CS, totaling 40 hrs or more; 1 year revocation	Not UFS	
302.220-001Y201554._	Misd	A	Display or possess fictitious-canceled /suspended/ revoked/altered drivers license	Y	2		Not UFS	
302.220-002N197954._	Misd		Represented the drivers license of another person to be his/hers	Y	2		Not UFS	
302.220-003N197554._	Misd		Loaned drivers license to another person	N			Not UFS	
302.220-004N197554._	Misd		Provided fraudulent information in application for drivers license	Y	12	1 year revocation	Not UFS	1 year disqualification if committed by a CDL holder/applicant

NEW CHARGE CODE	TYPE/ CLASS		DESCRIPTION	ROC?	POINTS	SPECIAL PENALTIES / CIRCUMSTANCES	UFS Fine	CDL
302.230-001Y200454._	Misd	A	Made false statement/affidavit or knowingly swore/affirmed falsely to any matter req by Sec 302.010-302.540	Y	12	Fine $0-$1,000; no jail; license may not be obtained for 1 yr after conviction; 1 year revocation	Not UFS	1 year disqualification if committed by a CDL holder/applicant
302.233-001Y202026._	Misd	A	Commits/assists another in committing fraud/deception during license examination	Y	12	1 year revocation	Not UFS	1 year disqualification if committed by a CDL holder/applicant
302.233-002Y202026._	Misd	A	Knowingly conceal/provide false information/commit fraud in application for license/permit	Y	12	1 year revocation	Not UFS	1 year disqualification if committed by a CDL holder/applicant
302.250-001N197554._	Misd		Caused or knowingly permitted child or ward under age 16 to drive motor vehicle	Y	4		Not UFS	
302.260-001N197554._	Misd		Authorized or knowingly permitted person to drive motor vehicle who had no legal right	Y	4		Not UFS	
302.272-001Y201554._	Misd	A	Operate school bus w/o a school bus endorsement	Y	2		Not UFS	
302.275-001N199754._	Infr		Knowingly fail to provide DOR w/in 10 days the notification requirements of a bus driver who failed to pass drug/alcohol test	N			Not UFS	
302.276-001Y201554._	Misd	A	Operate school bus while endorsement suspended (suspended for failure to pass drug/alcohol/chemical test)	Y	12	1 year revocation; May also be prosecuted under section 302.727 since most school busses are CMVs.	Not UFS	Same penalty as provided in 302.321; 1 year disqualification if in CMV with prior CMV withdrawal (suspension, revocation, disqualification)
302.291-001Y202073._	Misd	A	Knowingly violates confidentiality provision related to incompetent/unqualified driver/files false report	N			Not UFS	
302.301-001N197554._	Misd	C	Failed to comply with conditions of restricted drivers license (for physical infirmity)	Y	2		Not UFS	
302.304-001Y201554._	Misd	A	Operate motor vehicle while license revoked/suspended for failure to maintain proof of ignition interlock device due to point violation	Y	12	1 year revocation	Not UFS	1 year disqualification if in CMV with prior CMV withdrawal (suspension, revocation, disqualification)

NEW CHARGE CODE	TYPE/ CLASS		DESCRIPTION	ROC?	POINTS	SPECIAL PENALTIES / CIRCUMSTANCES	UFS Fine	CDL
302.321-003Y202054._	Misd	D	Driving while revoked/suspended - 1st offense	Y	12	1 year revocation	Not UFS	1 year disqualification if in CMV with prior CMV withdrawal (suspension, revocation, disqualification)
302.321-004Y202054._	Misd	A	Driving while revoked/suspended - 2nd or subsequent offense	Y	12	SIS prohibited; 48 hrs incar. mandatotory unless ct. orders at least 10 days CS totaling at 40 hrs; 1 year revocation	Not UFS	1 year disqualification if in CMV with prior CMV withdrawal (suspension, revocation, disqualification)
302.321-005Y202054._	Fel	E	Driving while revoked/suspended	Y	12	SIS prohibited; 48 hrs incar. mandatotory unless ct. orders at least 10 days CS totaling at 40 hrs; 1 year revocation	Not UFS	1 year disqualification if in CMV with prior CMV withdrawal (suspension, revocation, disqualification)
302.725-001Y201554._	Misd	A	Drive commercial motor vehicle without commercial driver's license in possession *Note. Production of proof that the license had been issued before the ticket date by the time of trial or payment date is a defense.*	Y	2	SIS prohibited; 48 hrs incar. mandatotory unless ct. orders at least 10 days CS totaling at 40 hrs	Not UFS	Serious traffic offense
302.725-002Y201554._	Misd	A	Drive commercial motor vehicle without proper class of license/endorsement	Y	2	SIS prohibited; 48 hrs incar. mandatotory unless ct. orders at least 10 days CS totaling at 40 hrs	Not UFS	Serious traffic offense
302.725-003Y201554._	Misd	A	Drive commercial motor vehicle without commercial motor vehicle driver's license	Y	2	SIS prohibited; 48 hrs incar. mandatotory unless ct. orders at least 10 days CS totaling at 40 hrs	Not UFS	Serious traffic offense
302.725-004Y201554._	Misd	A	Violate operator's license restriction while operating a commercial motor vehicle	Y	2	SIS prohibited; 48 hrs incar. mandatotory unless ct. orders at least 10 days CS totaling at 40 hrs	Not UFS	
302.727-003Y201554._	Misd	A	Drive commercial motor vehicle while driver is disqualified from operating a commercial motor vehicle	Y	2	SIS prohibited; 48 hrs incar. mandatotory unless ct. orders at least 10 days CS totaling at 40 hrs	Not UFS	1 year disqualification if in CMV with prior CMV withdrawal (suspension, revocation, disqualification)

NEW CHARGE CODE	TYPE/ CLASS		DESCRIPTION	ROC?	POINTS	SPECIAL PENALTIES / CIRCUMSTANCES	UFS Fine	CDL
302.727-004Y201554._	Misd	A	Drive commercial motor vehicle while commercial motor vehicle license is revoked, suspended or cancelled	Y	12	SIS prohibited; 48 hrs incar. mandatotory unless ct. orders at least 10 days CS totaling at 40 hrs; 1 year revocation	Not UFS	1 year disqualification if in CMV with prior CMV withdrawal (suspension, revocation, disqualification)
302.755-001N199554._	Misd	A	Violated an out-of-service order while transporting hazardous materials (1st offense)	Y	2	driver/employer subject to civil penalty	$130.50	180 day disqualificatn if in CMV
302.755-002N199554._	Misd	A	Violated an out-of-service order while transporting hazardous materials (2nd and subsequent offense)	Y	2	driver/employer subject to civil penalty	Not UFS	3 year disqualification if in CMV
302.755-003N200554._	Misd	A	Violated out-of-service order while operating motor vehicle desgnd to transprt > 16 passengers including driver-1st offense	Y	2	driver/employer subject to civil penalty	$130.50	180 day disqualification if in CMV
302.755-004N200554._	Misd	A	Viol out-of-service ordr while oper mtr veh desgnd to transprt > 16 passengers includ drive-2nd/subsqnt ofns	Y	2	driver/employer subject to civil penalty	Not UFS	3 year disqualification if in CMV
302.755-005N200554._	Misd	A	Operate commercial motor vehicle beginning at issuance of order until it expires (1st offense)	Y	2	driver/employer subject to civil penalty	$130.50	180 day disqualificatn if in CMV
302.755-006N200554._	Misd	A	Operate commercial motor vehicle beginning at issuance of order until it expires (2nd offense)	Y	2	driver/employer subject to civil penalty	$130.50	2 year disqualification if in CMV
302.755-007N200554._	Misd	A	Operate commercial motor vehicle beginning at issuance of order until it expires (3rd/subsequent offense)	Y	2	driver/employer subject to civil penalty	Not UFS	3 year disqualification if in CMV
302.780-001N202054._	Misd	B	Drove commercial vehicle with willful/wanton disregard for safety	Y	2		Not UFS	Serious traffic offense
302.780-003N202054._	Misd	B	Drove commercial motor vehicle under influence of controlled substance	Y	8		Not UFS	1 year disqualification if in CMV

NEW CHARGE CODE	TYPE/ CLASS		DESCRIPTION	ROC?	POINTS	SPECIAL PENALTIES / CIRCUMSTANCES	UFS Fine	CDL
303.024-001Y202026._	Fel	E	Refused to surrender drivers license/registration to DOR when license suspended/revoked	N			Not UFS	
303.024-002N202026._	Misd	B	Possess fraudulent document/photocopy/mobile image as insurance identification card	N			Not UFS	
303.025-002N201754._	Misd	D	Operate Motor Vehicle Owned By Another Knowing Owner Of Vehicle Has Not Maintained Financial Responsibility - 1st Offense	Y	4		Not UFS	
303.025-003N201754._	Misd	D	Owner Operate Motor Vehicle Without Maintaining Financial Responsibility (Motor vehicle Required To Be Registered) - 1st Offense	Y	4	Court to dismiss if demonstrated that financial responsibility requirements were met at time of citation; otherwise court shall do one of the following: 1) order suspension of DL; 2) 4 pt conviction; or 3) Order of supervision in lieu of points	Not UFS	
303.025-004N201754._	Misd		Owner Operate Motor Vehicle Without Maintaining Financial Responsibility (Motor vehicle Required To Be Registered) - 2nd or Subsequent Offense	Y	4	Court to dismiss if demonstrated that financial responsibility requirements were met at time of citation; otherwise court shall do one of the following: 1) order suspension of DL; 2) 4 pt conviction; or 3) Order of supervision in lieu of points		
303.025-005N201754._	Misd	D	Permit Another To Operate Motor Vehicle Without Financial Responsibility (Motor Vehicle Required To Be Registered) - 1st Offense	Y	4	Court to dismiss if demonstrated that financial responsibility requirements were met at time of citation; otherwise court shall do one of the following: 1) order suspension of DL; 2) 4 pt conviction; or 3) Order of supervision in lieu of points		

NEW CHARGE CODE	TYPE/ CLASS		DESCRIPTION	ROC?	POINTS	SPECIAL PENALTIES / CIRCUMSTANCES	UFS Fine	CDL
303.025-006N201754._	Misd		Permit Another To Operate Motor Vehicle Without Financial Responsibility (Motor Vehicle Required To Be Registered) - 2nd/Subsequent Offense	Y	4	Court to dismiss if demonstrated that financial responsibility requirements were met at time of citation; otherwise court shall do one of the following: 1) order suspension of DL; 2) 4 pt conviction; or 3) Order of supervision in lieu of points	Not UFS	
303.025-007N201754._	Misd		Operate motor vehicle owned by another knowing owner of vehicle has not maintained financial responsibility	Y	4	Court to dismiss if demonstrated that financial responsibility requirements were met at time of citation; otherwise court shall do one of the following: 1) order suspension of DL; 2) 4 pt conviction; or 3) Order of supervision in lieu of points	Not UFS	
303.040-001N198754._	Misd	B	Failure to report accident to DOR within 30/10 days	N		Fine $0-$500	Not UFS	
303.178-001N199954._	Misd	A	Knowingly display invalid evidence of liability insurance	Y	2	1 year revocation under Section 303.042 RSMo	Not UFS	
303.179-001N199954._	Misd	A	Knowingly alter, make, sell, or make available an invalid/counterfeit insurance card	N			Not UFS	
303.330-001N198754._	Misd	B	Refused to surrender drivers license/registration to DOR when license suspended/revoked	N		Fine $0-$500; 30 days max jail	Not UFS	
303.370-001N198754._	Misd		Drive motor vehicle on highway while owner's registration is suspended/revoked pursuant to Chap 303	N	0	Fine $0-$500; 6 mos max jail	Not UFS	
303.370-002Y201554._	Misd	A	Forged/misrepresented motor veh accident or financial responsibility information to DOR knowingly	N		Fine $0-$1,000; 1 yr max jail	Not UFS	
303.370-003N198754._	Misd		Drive motor vehicle on highway while driver's license is suspended/revoked pursuant to Chap 303	N	12	Fine $0-$500; 6 mos max jail	Not UFS	

NEW CHARGE CODE	TYPE/ CLASS		DESCRIPTION	ROC?	POINTS	SPECIAL PENALTIES / CIRCUMSTANCES	UFS Fine	CDL
304.010-001N199654._	Misd	C	Weight of vehicle exceeded road/bridge limit approved by Hwy/Trans Commission in 2nd/3rd/4th class county	N			$80.50	
304.010-002N199954._	Infr		Exceeded posted speed limit (exceeded by 1 - 5 mph)	Y	0	1st Offense workers present & sign posted - $250; 2nd & subsequent - $300	$50.50	
304.010-003N199954._	Misd	C	Exceeded posted speed limit (exceeded by 6-10 mph)	Y	3	1st Offense workers present & sign posted - $250; 2nd & subsequent - $300	$60.50	
304.010-004N199954._	Misd	C	Exceeded posted speed limit (exceeded by 11 - 15 mph)	Y	3	1st Offense workers present & sign posted - $250; 2nd & subsequent - $300	$70.50	15 over - Serious traffic violation
304.010-005N199954._	Misd	C	Exceeded posted speed limit (exceeded by 16 - 19 mph)	Y	3	1st Offense workers present & sign posted - $250; 2nd & subsequent - $300	$100.50	Serious traffic violation
304.010-006N201154._	Misd	B	Exceeded posted speed limit (exceeded by 20 - 25 mph)	Y	3	1st Offense workers present & sign posted - $250; 2nd & subsequent - $300	$155.50	Serious traffic violation
304.010-007N201154._	Misd	B	Exceeded posted speed limit (exceeded by 26 mph or more)	Y	3	1st Offense workers present & sign posted - $250; 2nd & subsequent - $300	Not UFS	Serious traffic violation
304.011-001N197554._	Misd		Drove at such slow speed to impede/block normal and reasonable traffic movement	Y	2	Fine $5-$500, 1 yr jail max	$60.50	
304.011-002N199654._	Misd	C	Drove at speed less than 40 mph on interstate highway	Y	2		$60.50	
304.012-001N199554._	Misd	B	Operated a motor vehicle in a careless and imprudent manner	Y	2		Not UFS	Serious traffic violation
304.012-002N202054._	Misd	A	Operated a motor vehicle in a careless and imprudent manner, involving an accident	Y	2		Not UFS	Serious traffic violation
304.013-001N199054._	Misd	C	Unlawfully operate ATV upon highway	Y	2	Points assessed only if offense occurred on public hwy/rdwy	$60.50	

NEW CHARGE CODE	TYPE/ CLASS		DESCRIPTION	ROC?	POINTS	SPECIAL PENALTIES / CIRCUMSTANCES	UFS Fine	CDL
304.013-002N199054._	Misd	C	Unlawfully operate ATV within a stream or river	N			$149.50	
304.013-003N199054._	Misd	C	Unlawfully operate ATV on highway without operator's or chauffeur's license	Y	2	NA to handicapped persons operating ATV for short distances occasionally on secondary roads between the hours of sunrise and sunset	$60.50	
304.013-004N199054._	Misd	C	Unlawfully operate ATV on highway in excess of thirty miles-per-hour	Y	2		$60.50	
304.013-005N199054._	Misd	C	Unlawfully operate ATV without proper bicycle safety flag	N			$50.50	
304.013-006N199054._	Misd	C	Unlawfully operate ATV in careless way, endangering person or property of another	Y	2		$80.50	
304.013-007Y198854._	Misd	C	Unlawfully operate ATV while under the influence of alcohol or controlled substance	Y	2		Not UFS	
304.013-008N199054._	Misd	C	Person under 18 years oper ATV without securely fastened safety helmet on head	N			$50.50	
304.013-009N199054._	Misd	C	Unlawfully operate ATV carrying a passenger when seat not designed for such	Y	2		$50.50	
304.013-010N199754._	Misd	C	Handicapped person operated ATV on primary highway	Y	2		$60.50	
304.013-011N199054._	Misd	C	Unlawfully operate ATV on highway for agricultural purposes between official sunset and sunrise	Y	2		$50.50	
304.013-012N199754._	Misd	C	Handicapped person operated ATV on roadway between the hours of official sunset and sunrise	Y	2		$50.50	
304.015-001N202054._	Misd	C	Changed lanes when movement could not be made with safety on roadway having 3 or more lanes	Y	2		$60.50	Serious traffic violation
304.015-002N202054._	Misd	B	Change lanes when movmnt could not be made w/safty on rdwy having 3 or > lanes, causing immed threat of accident	Y	2		$60.50	Serious traffic violation
304.015-003N202054._	Misd	C	Failed to obey official signs temporarily designating lanes	Y	2		$60.50	Serious traffic violation

NEW CHARGE CODE	TYPE/ CLASS		DESCRIPTION	ROC?	POINTS	SPECIAL PENALTIES / CIRCUMSTANCES	UFS Fine	CDL
304.015-004N202054._	Misd	B	Failed to obey official signs temporarily designating lanes, causing an immediate threat of an accident	Y	2		$60.50	Serious traffic violation
304.015-005N202054._	Misd	A	Failed to obey official signs temporarily designating lanes, resulting in an accident	Y	2		Not UFS	Serious traffic violation
304.015-006N202054._	Misd	A	Change lanes when movmnt could not be made w/safty on rdwy having 3 or > lanes, resulting in accident	Y	2		Not UFS	Serious traffic violation
304.015-007N196054._	Misd	A	Made U-turn/left turn on divided hwy not at intersctn/interchng/any signed location - resulting in accident	Y	2		Not UFS	
304.015-008N202054._	Misd	C	Made U-turn/left turn on divided hwy not at intersec/interchange/any signed location	Y	2		$60.50	
304.015-009N202054._	Misd	B	Made U-turn/left turn on divided hwy not at intersctn/interchng/any signed location-causing immed threat of accidnt	Y	2		$60.50	
304.015-010N202054._	Misd	B	Failed to drive within single lane on roadway having 3 or more lanes, causing an immed threat of an accident	Y	2		$60.50	Serious traffic violation
304.015-011N202054._	Misd	C	Failed to drive within single lane on roadway having 3 or more lanes	Y	2		$60.50	Serious traffic violation
304.015-012N202054._	Misd	B	Drove wrong direction on hwy divided into two or more rdwys, causing an immed threat of an accident	Y	2		$60.50	
304.015-013N202054._	Misd	C	Drove wrong direction on hwy divided into two or more rdwys	Y	2		$60.50	
304.015-014N202054._	Misd	C	Failed to drive on right half of rdwy when rdwy was of sufficient width	Y	2		$60.50	
304.015-015N202054._	Misd	B	Failed to drive on right half of rdwy when rdwy was of sufficient width, causing an immed threat of accident	Y	2		$60.50	
304.015-016N196054._	Misd	A	Failed to drive on right half of rdwy when rdwy was of sufficient width, resulting in an accident	Y	2		Not UFS	
304.015-017N196054._	Misd	A	Drove wrong direction on hwy divided into two/more rdwys, resulting in an accident	Y	2		Not UFS	
304.015-018N196054._	Misd	A	Failed to drive within single lane on roadway having 3 or more lanes, resulting in an accident	Y	2		Not UFS	Serious traffic violation

NEW CHARGE CODE	TYPE/ CLASS		DESCRIPTION	ROC?	POINTS	SPECIAL PENALTIES / CIRCUMSTANCES	UFS Fine	CDL
304.015-019N196054._	Misd	A	Drove in center lane of 3 lane roadway when view obstructed or not clear of traffic, resulting in an accident	Y	2		Not UFS	Serious traffic violation
304.015-020N196054._	Misd	A	Fail to drive in rght hand lane of rdwy with 3 or > lanes when travel at speed < normal, resulting in accident	Y	2		Not UFS	Serious traffic violation
304.015-021N196054._	Misd	A	Failed to drive w/in right lane of highway w/2 or more lanes in same direction, resulting in an accident	Y	2		Not UFS	Serious traffic violation
304.015-022N202054._	Misd	C	Drove in center lane of 3 lane roadway when view obstructed or not clear of traffic	Y	2		$60.50	Serious traffic violation
304.015-023N202054._	Misd	B	Drove in center lane of 3 lane roadway when view obstructed or not clear of traffic, causing immediate threat of accident	Y	2		$60.50	Serious traffic violation
304.015-024N202054._	Misd	C	Failed to drive in right hand lane of roadway with 3 or more lanes when traveling at speed less than normal	Y	2		$60.50	Serious traffic violation
304.015-025N202054._	Misd	B	Failed to drive in right hand lane of roadway with 3 or more lanes when travel at speed < normal, causing immediate threat of accident	Y	2		$60.50	Serious traffic violation
304.015-026N201054._	Misd	C	Failed to drive within right lane of hwy with 2 or more lanes in same direction	Y	2		$60.50	Serious traffic violation
304.015-027N202054._	Misd	B	Failed to drive w/in right lane of highway w/2 or more lanes in same direction, causing immediate threat of accident	Y	2		$60.50	Serious traffic violation
304.015-028N202054._	Misd	B	Truck more than 48,000 pounds fail to drive in right hand lane of roadway with 3 or more lanes - cause immediate threat of accident	Y	2		$80.50	
304.015-029N202054._	Misd	C	Truck more than 48,000 pounds fail to drive in right hand lane of roadway with 3 or more lanes	Y	2		$80.50	
304.015-030N202054._	Misd	A	Truck more than 48,000 pounds fail to drive in right hand lane of roadway with 3 or more lanes - result in accident	Y	2		Not UFS	
304.015-031N201054._	Misd	C	Failed to place veh not in motion as near right hand side of hwy as practicable	N			$60.50	
304.015-032N201054._	Misd	B	Fail to place vehicle not in motion as near right hand side of highway as practicable, causing immediate threat of accident	Y	2		$60.50	

NEW CHARGE CODE	TYPE/ CLASS		DESCRIPTION	ROC?	POINTS	SPECIAL PENALTIES / CIRCUMSTANCES	UFS Fine	CDL
304.015-033N202054._	Misd	A	Failed to place veh not in motion as near right hand side of highway as practicable, resulting in an accident	Y	2		Not UFS	
304.016-001N197554._	Misd	C	Cut in on overtaken vehicle	Y	2		$80.50	
304.016-002N197554._	Misd	C	Passed vehicle on right and traveled off main portion of road	Y	2		$80.50	
304.016-003N197554._	Misd	C	Passed vehicle and interfered with approaching traffic	Y	4		$130.50	Serious traffic violation
304.016-004N197554._	Misd	C	Drove vehicle to left side of roadway when view obstructed by hill or curve	Y	4		$130.50	Serious traffic violation
304.016-005N197554._	Misd	C	Drove vehicle to left side of roadway within 100 ft of bridge/viaduct/tunnel when view obstructed	Y	4		$130.50	Serious traffic violation
304.016-006N197554._	Misd	C	Drove vehicle to left side of roadway within 100ft of intersec/railroad grade crossing	Y	4		$130.50	Serious traffic violation
304.016-007N197554._	Misd	C	Increased speed while being passed	Y	2		$80.50	
304.017-001N197554._	Misd	C	Car/motorcycle/truck under 18,000 lbs followed another vehicle too closely	Y	2		$60.50	Serious traffic violation
304.017-002N197554._	Misd	C	Truck - 18,000 lbs or more/bus followed another vehicle too closely	Y	2		$130.50	Serious traffic violation
304.019-001N197554._	Misd	C	Stopped/decreased speed/turned from direct course/move vehicle right/left when unsafe	Y	2		$60.50	
304.019-002N197554._	Misd	C	Failed to signal/gave improper signal when stopping/turning left or right	Y	2		$60.50	
304.022-001N200654._	Misd	A	Fail to yield to emergency veh sounding siren and displaying red/blue light	Y	2		$80.50	
304.022-002N200654._	Misd	A	Failed to proceed with caution/yield right-of-way/reduce speed when approaching a stationary emergency vehicle displaying emergency lights	Y	2		$80.50	
304.022-003N200654._	Misd	A	Activate siren/warning lights on emergency vehicle when not in pursuit/on emergency mission	Y	2		$80.50	
304.022-004N201254._	Misd	A	Failed to yield to stationary vehicle displaying amber or amber & white lights	Y	2		$80.50	
304.022-005N197154._	Misd	A	Failure of streetcar motorman to stop car clear of intersection until emerg veh has passed	N			Not UFS	

NEW CHARGE CODE	TYPE/ CLASS		DESCRIPTION	ROC?	POINTS	SPECIAL PENALTIES / CIRCUMSTANCES	UFS Fine	CDL
304.023-001N195354._	Misd	C	Improper passing of a streetcar	Y	2		$80.50	
304.024-001N199654._	Infr		Stopped or parked veh in prohibited area established by MO Hwy & Trans Comm	N			$50.50	
304.029-001N200454._	Misd		Unlawfully operate low-speed vehicle upon highway with a posted speed limit greater than 35 mph	Y	2		$60.50	
304.029-002N200454._	Misd		Unlawfully operate low-speed vehicle upon highway without proof of financial responsibility	Y	4		Not UFS	
304.029-003N200454._	Misd		Unlawfully operate low-speed vehicle upon highway without a valid driver's license	Y	2		$60.50	
304.030-001N197554._	Misd		Failed to stop loaded bus or hazardous/ inflammable/corrosive materials truck for railroad grade crossing	Y	2		$80.50	1st offense -60 day disqualification; 2nd offense w/in 3 years of violation - 120 day disqualification; 3rd or sub offense w/in 3 years of violation - 1 year disqualification
304.031-001N200454._	Misd	B	Unlawfully use a Traffic Signal Preemption System to control traffic	Y	2		$130.50	
304.032-001N200854._	Misd	C	Unlawfully operate utility vehicle while under influence of alcohol or controlled substance	Y	2		Not UFS	
304.032-002N200854._	Misd	C	Unlawfully operate utility vehicle on highway without operator's or chauffeur's license	Y	2		$60.50	
304.032-003N200854._	Misd	C	Unlawfully operate utility vehicle upon highway	Y	2		$60.50	
304.032-004N200854._	Misd	C	Handicapped person operated utility vehicle on primary highway	Y	2		$60.50	
304.032-005N200854._	Misd	C	Unlawfully operate utility vehicle within stream or river	N			$66.50	
304.032-006N200854._	Misd	C	Handicapped person operated utility vehicle on roadway between sunset and sunrise	Y	2		$50.50	
304.032-007N202054._	Misd	C	Unlawfully operate utility vehicle while carrying passenger when seat not designed for such	Y	2		$50.50	
304.032-008N200854._	Misd	C	Unlawfully operate utility vehicle on highway for agricultural purposes between sunset and sunrise without proper lighting	Y	2		$50.50	

NEW CHARGE CODE	TYPE/ CLASS		DESCRIPTION	ROC?	POINTS	SPECIAL PENALTIES / CIRCUMSTANCES	UFS Fine	CDL
304.032-009N200854._	Misd	C	Unlawfully operate utility vehicle in careless manner - endanger person or property of another	Y	2		$80.50	
304.032-010N201354._	Misd	C	Unlawfully operate utility vehicle on highway in excess of 45 MPH	Y	2		$60.50	
304.033-001N201254._	Misd		Unlawfully operate recreational off-highway vehicle on a highway - without a valid license	Y	2		$60.50	
304.033-002N201254._	Misd		Unlawfully operate recreational off-highway vehicle on a highway	Y	2		$60.50	
304.033-003N201254._	Misd		Unlawfully operate recreational off-highway vehicle - other than without a valid license	Y	2		$60.50	
304.035-001N202054._	Misd	C	Drove through RR crossing without sufficient space	Y	2		Not UFS	1st offense -60 day disqualification; 2nd offense w/in 3 years of violation - 120 day disqualification; 3rd or sub offense w/in 3 years of violation - 1 year disqualification
304.035-002N202054._	Misd	C	Drove through RR crossing without sufficient undercarriage clearance on vehicle	Y	2		Not UFS	1st offense -60 day disqualification; 2nd offense w/in 3 years of violation - 120 day disqualification; 3rd or sub offense w/in 3 years of violation - 1 year disqualification
304.035-003N198854._	Misd	C	Failure to obey traffic control device/direction of enforcement official at RR crossing	Y	2		Not UFS	1st offense -60 day disqualification; 2nd offense w/in 3 years of violation - 120 day disqualification; 3rd or sub offense w/in 3 years of violation - 1 year disqualification

NEW CHARGE CODE	TYPE/ CLASS		DESCRIPTION	ROC?	POINTS	SPECIAL PENALTIES / CIRCUMSTANCES	UFS Fine	CDL
304.035-004N198854._	Misd	C	Failure to stop at RR track	Y	2		Not UFS	1st offense -60 day disqualification; 2nd offense w/in 3 years of violation - 120 day disqualification; 3rd or sub offense w/in 3 years of violation - 1 year disqualification
304.035-005N198854._	Misd	C	Failure to obey RR-hwy grade crossing restrictions not specified	Y	2		Not UFS	1st offense -60 day disqualification; 2nd offense w/in 3 years of violation - 120 day disqualification; 3rd or sub offense w/in 3 years of violation - 1 year disqualification
304.035-006N200454._	Misd	C	Fail to slow comm mtr veh when approaching RR grade crossing	Y	2		Not UFS	1st offense -60 day disqualification; 2nd offense w/in 3 years of violation - 120 day disqualification; 3rd or sub offense w/in 3 years of violation - 1 year disqualification
304.044-001N197554._	Misd	C	Followed another bus/truck closer than 300 ft	Y	2		$130.50	Serious traffic violation
304.050-003N194954._	Misd	A	Failed to stop for school bus receiving/discharging school children	Y	2		$80.50	
304.050-004N201754._	Misd	C	Fail to have signs on school bus/equip school bus with mech/elec signaling device	N			$80.50	
304.050-005N199854._	Misd	A	Fail to equip school bus with crossing control arm	N			Not UFS	
304.050-008N194954._	Misd	A	School bus driver failed to permit following vehicle to pass	Y	2		$80.50	
304.075-001N195554._	Misd	C	Fail to remove or cover signs on school bus when used for purpose other than transporting school children	N			$60.50	
304.079-001N200454._	Misd	A	Failure to provide proper authorization for parking vehicle in handicap zone	N			$100.50	

NEW CHARGE CODE	TYPE/ CLASS		DESCRIPTION	ROC?	POINTS	SPECIAL PENALTIES / CIRCUMSTANCES	UFS Fine	CDL
304.079-002N200554._	Misd		Oper/drive mtr veh with disabled placard hanging from rearview mirror	N			$10.00	
304.080-001N197754._	Misd		Failed to yield to blind pedestrian with guide dog or white cane	Y	2	Fine $0-$25; may assess 10 days in jail if default in payment of fine and/or costs	Not UFS	
304.130-001N199954._	Infr		Exceeded posted speed limit - 1st class county (exceeded by 1 - 5 mph)	Y	0		$50.50	
304.130-002N199954._	Infr		Exceeded posted speed limit - 1st class county (exceeded by 6 - 10 mph)	Y	2		$60.50	
304.130-003N199954._	Infr		Exceeded posted speed limit - 1st class county (exceeded by 11 - 15 mph)	Y	2		$70.50	15 over - Serious traffic violation
304.130-004N199954._	Infr		Exceeded posted speed limit - 1st class county (exceeded by 16 - 19 mph)	Y	2		$100.50	Serious traffic violation
304.130-005N201154._	Infr		Exceeded posted speed limit - 1st class county (exceeded by 20 -25 mph)	Y	2		$155.50	Serious traffic violation
304.130-006N201154._	Infr		Exceeded posted speed limit - 1st class county (exceeded by 26 mph or more)	Y	2		Not UFS	Serious traffic violation
304.151-001N202054._	Infr		Failure to move vehicle which is obstructing flow of traffic	N		Fine $15-$50	$50.50	
304.153-002Y202054._	Misd	A	Prohibited Towing Of Vehicle From Scene Of Accident - 2nd Offense	N			Not UFS	
304.153-003Y202054._	Misd	D	Prohibited Towing Of Vehicle From Scene Of Accident - 1st Offense	N			Not UFS	
304.156-001N199654._	Infr		Fail to make applic for junking or salvage certif title w/in 30 days of purchase abandnd prop from municipality or county	N			Not UFS	
304.157-001N202054._	Misd	C	Landowner towed abandnd prop w/out athr of law enfrcemnt officer when not present/when no sign disply warn such	N			Not UFS	
304.158-001N202054._	Misd	A	Any violation of towing regulations from Sec 304.155 to 304.158	N			$130.50	
304.160-001N197554._	Misd	C	Fail to make reasonable effort to clear hwy of substnce injur to tires/veh when dropped purpose/accident	N			$80.50	
304.170-001N197954._	Misd		Operate/transport implements of husbandry on highway between sunset and sunrise	N			$80.50	
304.170-002N197954._	Misd		Operated implements of husbandry on state highway without operator's license	N			$80.50	

NEW CHARGE CODE	TYPE/ CLASS		DESCRIPTION	ROC?	POINTS	SPECIAL PENALTIES / CIRCUMSTANCES	UFS Fine	CDL
304.170-003N198354._	Misd		Operated sludge disposal unit on interstate highway	N		Fine of not less than $5; 1 yr jail max	$80.50	
304.170-004N198354._	Misd		Operated sludge disposal unit in violation of special permit	N		Fine of not less than $5; 1 yr jail max	$80.50	
304.170-005N197554._	Misd		Width of veh exceeded 8 1/2 ft	N		Fine of not less than $5; 1 yr jail max	$80.50	
304.170-006N199254._	Misd		Width of sludge disposal unit exceeded 11 1/2 feet	N		Fine of not less than $5; 1 yr jail max	$80.50	
304.170-007N197554._	Misd		Height of vehicle exceeded 13 1/2 or 14 feet	N		Fine of not less than $5; 1 yr jail max	$80.50	
304.170-008N197554._	Misd		Length of single motor vehicle exceeded 45 ft	N		Fine of not less than $5; 1 yr jail max	$80.50	
304.170-009N197554._	Misd		Length of bus exceeded 45/46/47 feet	N		Fine of not less than $5; 1 yr jail max	$80.50	
304.170-010N197554._	Misd		Length of truck and other combined vehicle(s) exceeded 55 ft	N		Fine of not less than $5; 1 yr jail max	$80.50	
304.170-011N197554._	Misd		Length of tractor and semi-trailer exceeded 60 ft	N		Fine of not less than $5; 1 yr jail max	$80.50	
304.170-012N197554._	Misd		Length of tractor, semi-trailer and trailer/truck and trailers exceeded 65 ft	N		Fine of not less than $5; 1 yr jail max	$80.50	
304.170-013N197554._	Misd		Length of semi-trailer/trailer exceeded 28/ 28 1/2 ft	N		Fine of not less than $5; 1 yr jail max	$80.50	
304.170-014N197554._	Misd		Length of semi-trailer w/load exceeded 53 feet on interstate or designated hwy plus 10 air miles	N		Fine of not less than $5; 1 yr jail max	$80.50	
304.170-015N199254._	Misd		Length of loaded auto/boat transporting exceed limit	N		Fine of not less than $5; 1 yr jail max	$80.50	
304.170-016N199254._	Misd		Length of driveway saddlemount combination exceeded limit	N		Fine of not less than $5; 1 yr jail max	$80.50	
304.170-017N202054._	Misd		Articulated Bus Exceeds Length Limit	N			Not UFS	
304.170-018N202054._	Misd		Stinger-Steered Auto Transporter Exceeds Length Limit	N			Not UFS	
304.170-019N202054._	Misd		Auto Transporter Backhaul Exceeds Weight Limit	N			Not UFS	
304.170-020N202054._	Misd		Towaway Trailer Transporter Exceeds Length Limit	N			Not UFS	
304.170-021N202054._	Misd		Operate Argicultural Machinery On Highway Without Proper Lighting	N			Not UFS	

NEW CHARGE CODE	TYPE/ CLASS		DESCRIPTION	ROC?	POINTS	SPECIAL PENALTIES / CIRCUMSTANCES	UFS Fine	CDL
304.180-001N192554._	Misd		Weight on tandem axle exceed 34,000 lbs	N		First 500 lbs over $.02/lb; next 500 lbs over $.05/lb; > 1000 lbs over $.10/lb	Calculated Wt. Fine	
304.180-002N192554._	Misd		Weight on single axle exceed 20,000 lbs	N		First 500 lbs over $.02/lb; next 500 lbs over $.05/lb; > 1000 lbs over $.10/lb	Calculated Wt. Fine	
304.180-003N192554._	Misd		Weight on steering axle exceed 12,000 lbs/veh manufacturer's rating	N		First 500 lbs over $.02/lb; next 500 lbs over $.05/lb; > 1000 lbs over $.10/lb	Calculated Wt. Fine	
304.180-004N192554._	Misd		Weight on single axle exceed 22,000 lbs	N		First 500 lbs over $.02/lb; next 500 lbs over $.05/lb; > 1000 lbs over $.10/lb	Calculated Wt. Fine	
304.180-005N192554._	Misd		Weight on tandem axle exceed 36,000 lbs	N		First 500 lbs over $.02/lb; next 500 lbs over $.05/lb; > 1000 lbs over $.10/lb	Calculated Wt. Fine	
304.180-006N192554._	Misd		Gross weight exceed posted limit for bridge	N		First 500 lbs over $.02/lb; next 500 lbs over $.05/lb; > 1000 lbs over $.10/lb	Calculated Wt. Fine	
304.180-007N192554._	Misd		Gross weight exceed 80,000 lbs	N		First 500 lbs over $.02/lb; next 500 lbs over $.05/lb; > 1000 lbs over $.10/lb	Calculated Wt. Fine	
304.180-008N201254._	Misd		Weight on livestock/milk hauler exceeds 85,500 pounds	N		First 500 lbs over $.02/lb; next 500 lbs over $.05/lb; > 1000 lbs over $.10/lb	Calculated Wt. Fine	
304.180-009N197554._	Misd		Weight on axle group exceed limit for interstate highway	N		First 500 lbs over $.02/lb; next 500 lbs over $.05/lb; > 1000 lbs over $.10/lb	Calculated Wt. Fine	
304.180-010N197554._	Misd		Weight on axle group exceed limit for highway	N		First 500 lbs over $.02/lb; next 500 lbs over $.05/lb; > 1000 lbs over $.10/lb	Calculated Wt. Fine	

NEW CHARGE CODE	TYPE/ CLASS		DESCRIPTION	ROC?	POINTS	SPECIAL PENALTIES / CIRCUMSTANCES	UFS Fine	CDL
304.180-011N202054._	Misd		Weight On Grain/Co-Products Hauler Exceeds 10% Of Maximum Weight Limit On Highway Other Than Interstate	N			Not UFS	
304.180-012N202054._	Misd		Emergency Transport Vehicle Exceeds Maximum Gross Weight - Single Axel	N			Not UFS	
304.180-013N202054._	Misd		Emergency Transport Vehicle Exceeds Maximum Gross Weight - Single Drive Axel	N			Not UFS	
304.180-014N202054._	Misd		Emergency Transport Vehicle Exceeds Maximum Gross Weight - Tandem Axel	N			Not UFS	
304.180-015N202054._	Misd		Emergency Transport Vehicle Exceeds Maximum Gross Weight - Tandem Rear Drive Steer Axel	N			Not UFS	
304.180-016N202054._	Misd		Natural Gas Engine Vehicle Exceeds Gross Weight Limit	N			Not UFS	
304.181-001N197754._	Misd		Weight on bus single axle exceed 20,000 lbs	N		First 500 lbs over $.02/lb; next 500 lbs over $.05/lb; > 1000 lbs over $.10/lb	Calculated Wt. Fine	
304.181-002N197754._	Misd		Weight on bus tandem axle exceed 34,000 lbs	N		First 500 lbs over $.02/lb; next 500 lbs over $.05/lb; > 1000 lbs over $.10/lb	Calculated Wt. Fine	
304.184-001N201054._	Misd		Violate Sec 304.184 re weight limits for trucks/tractor-trailers/etc engaged in transporting solid waste	N		First 500 lbs over $.02/lb; next 500 lbs over $.05/lb; > 1000 lbs over $.10/lb	Calculated Wt. Fine	
304.184-002N201054._	Misd		Violate Sec 304.184 re length and width limits for trucks/tractor-trailers/etc engaged in transporting solid waste	N			$80.50	
304.190-001N197154._	Misd		Height of veh in comm zone exceed 15 ft	N		Fine of not less than $5; 1 yr jail max	$80.50	
304.190-002N197154._	Misd		Weight on single axle exceed 22,400 lbs	N		First 500 lbs over $.02/lb; next 500 lbs over $.05/lb; > 1000 lbs over $.10/lb	Calculated Wt. Fine	
304.200-001N201054._	Misd		Viol special permits for vehicles regarding weight limits	N		First 500 lbs over $.02/lb; next 500 lbs over $.05/lb; > 1000 lbs over $.10/lb	Calculated Wt. Fine	

NEW CHARGE CODE	TYPE/ CLASS		DESCRIPTION	ROC?	POINTS	SPECIAL PENALTIES / CIRCUMSTANCES	UFS Fine	CDL
304.200-002N201054._	Misd		Violate special permits for vehicles regarding width, length, height, speed limit or any other condition/restriction of permit	N			$80.50	
304.220-001N195354._	Misd	C	Weight of vehicle exceeded maximum posted limit for county road or bridge	N			Calculated Wt. Fine	
304.230-001N198554._	Misd		Refuse to weigh commercial motor vehicle or submit to a driver/vehicle inspection	N		Fine of not less than $5; 1 yr jail max	$130.50	
304.235-001N197354._	Misd		Failed to stop comm mtr veh at weigh station	N		Fine $5-$500; 1 yr jail max	$130.50	
304.250-001N199654._	Infr		Operated metal tired veh on improved hwy	N		Liable for civil damages	$50.50	
304.271-001N197554._	Misd	C	Failed to obey traffic control device	Y	2		$60.50	
304.281-001N197854._	Misd	C	Failed to yield right of way to vehicle/pedestrian lawfully in controlled intersec/crosswalk	Y	2		$60.50	
304.281-002N197554._	Misd	C	Failed to stop for steady red signal at crosswalk/stop line/point nearest intersec	Y	2		$60.50	
304.281-003N197554._	Misd	C	Turned right on red signal where prohibited by sign	Y	2		$60.50	
304.281-004N197554._	Misd	C	Pedestrian started to cross roadway when facing steady red/yellow signal	N			$50.50	
304.291-001N197554._	Misd		Failed to yield right of way to pedestrian facing walk signal	Y	2	Fine $5-$500; 1 yr jail max	$60.50	
304.291-002N197554._	Misd		Pedestrian started across rdwy when signal exhibited words "don't walk"	N		Fine $5-$500; 1 yr jail max	$50.50	
304.301-001N197554._	Misd	C	Failed to stop for flashing red signal at stop line/crosswalk/point nearest intersec	Y	2		$60.50	
304.301-002N199654._	Infr		Failed to proceed with caution past a flashing yellow signal	N			$60.50	
304.311-001N197554._	Misd		Entered/traveled in a lane over which a red signal was shown	Y	2	Fine $5-$500; 1 yr jail max	$60.50	
304.321-001N197554._	Misd		Placed unauthorized sign/signal device on/in view of hwy	N		Fine $5-$500; 1 yr jail max	$80.50	
304.321-002N197554._	Misd		Placed device/sign which interfered with effectiveness of official sign/signals	N		Fine $5-$500; 1 yr jail max	$80.50	
304.321-003N197554._	Misd		Placed comm advertising on official sign	N		Fine $5-$500; 1 yr jail max	$80.50	
304.331-001N197554._	Misd		Altered/defaced/injured/knocked down or removed sign or signal device	N		Fine $5-$500; 1 yr jail max	$80.50	

NEW CHARGE CODE	TYPE/ CLASS		DESCRIPTION	ROC?	POINTS	SPECIAL PENALTIES / CIRCUMSTANCES	UFS Fine	CDL
304.341-001N197554._	Misd	C	Failed to turn as directed or required by intersection traffic control device	Y	2		$60.50	
304.341-002N197554._	Misd	C	Made U-turn at intersec controlled by traffic signal/police officer	Y	2		$60.50	
304.341-003N197554._	Misd	C	Failed to make/approach for right turn as close as practicable to right curb/edge of roadway	Y	2		$60.50	
304.341-004N197554._	Misd	C	Failed to make/approach for left turn within proper lane	Y	2		$60.50	
304.341-005N197554._	Misd	C	Make U-turn/interfere w/traffic where vision less than 300 ft/traffic hazard created	Y	2		$60.50	
304.351-001N197554._	Misd	C	Failed to yield to vehicle that had entered intersection with no traffic control	Y	2	Fine up to $200 & DL suspension for 30 days if caused physical injury. Fine up to $500 & DL suspension for 90 days if caused serious physical injury. Fine up to $1000 & DL suspension for 6 months if caused fatality.	$60.50	
304.351-002N197554._	Misd	C	Failed to yield to vehicle on right that entered intersection at approximately same time	Y	2	Fine up to $200 & DL suspension for 30 days if caused physical injury. Fine up to $500 & DL suspension for 90 days if caused serious physical injury. Fine up to $1000 & DL suspension for 6 months if caused fatality.	$60.50	

NEW CHARGE CODE	TYPE/ CLASS		DESCRIPTION	ROC?	POINTS	SPECIAL PENALTIES / CIRCUMSTANCES	UFS Fine	CDL
304.351-003N197554._	Misd	C	Failed to yield to vehicle approaching from opposite direction when turning left	Y	2	Fine up to $200 & DL suspension for 30 days if caused physical injury. Fine up to $500 & DL suspension for 90 days if caused serious physical injury. Fine up to $1000 & DL suspension for 6 months if caused fatality.	$60.50	
304.351-004N197554._	Misd	C	Failed to yield after stopping to vehicle that entered intersection/so close to cause hazard	Y	2	Fine up to $200 & DL suspension for 30 days if caused physical injury. Fine up to $500 & DL suspension for 90 days if caused serious physical injury. Fine up to $1000 & DL suspension for 6 months if caused fatality.	$60.50	
304.351-005N197554._	Misd	C	Fail to yield to approaching vehicle when entering/crossing hwy from alley/driveway	Y	2	Fine up to $200 & DL suspension for 30 days if caused physical injury. Fine up to $500 & DL suspension for 90 days if caused serious physical injury. Fine up to $1000 & DL suspension for 6 months if caused fatality.	$60.50	

NEW CHARGE CODE	TYPE/ CLASS		DESCRIPTION	ROC?	POINTS	SPECIAL PENALTIES / CIRCUMSTANCES	UFS Fine	CDL
304.351-006N197554._	Misd	C	Fail to yield to approaching vehicle when turning left into alley/private road/driveway	Y	2	Fine up to $200 & DL suspension for 30 days if caused physical injury. Fine up to $500 & DL suspension for 90 days if caused serious physical injury. Fine up to $1000 & DL suspension for 6 months if caused fatality.	$60.50	
304.351-007N197554._	Misd	C	Failed to stop for stop sign at stop line/before crosswalk/point nearest intersec	Y	2	Fine up to $200 & DL suspension for 30 days if caused physical injury. Fine up to $500 & DL suspension for 90 days if caused serious physical injury. Fine up to $1000 & DL suspension for 6 months if caused fatality.	$60.50	
304.351-008N197554._	Misd	C	Failed to slow to reasonable speed for existing conditions or stop for yield sign	Y	2	Fine up to $200 & DL suspension for 30 days if caused physical injury. Fine up to $500 & DL suspension for 90 days if caused serious physical injury. Fine up to $1000 & DL suspension for 6 months if caused fatality.	$60.50	
304.373-001N200254._	Misd	A	Transport hazardous material in/through highway tunnel - found or plead guilty/2nd or subsequent ofns	Y	0		$130.50	
304.373-002N200254._	Misd	B	Transport hazardous material in/through highway tunnel - 1st ofns	Y	0		$130.50	

NEW CHARGE CODE	TYPE/ CLASS		DESCRIPTION	ROC?	POINTS	SPECIAL PENALTIES / CIRCUMSTANCES	UFS Fine	CDL
304.373-003N200254._	Misd	A	Illegally park veh containing haz material within 300 ft of any highway tunnel - 2nd or subsqnt ofns	N			$80.50	
304.373-004N200254._	Misd	B	Illegally parked a veh containing hazardous material with 300 ft of any highway tunnel - 1st ofns	N			$80.50	
304.582-001N200154._	Misd	C	Overtake/pass mtr veh in work/construction zone on divided highway	Y	2	1st Offense workers present & sign posted - $250; 2nd & subsequent - $300	$105.50 (+ $250.00 if workers present)	
304.582-002N200654._	Misd	C	Pass or attempt to pass mtr veh in wrk/constrction zone on 2 lane hwy when worker/equip workng and sign/contrl device erected	Y	2	1st Offense workers present & sign posted - $250; 2nd & subsequent - $300	$105.50 (+ $250.00 if workers present)	
304.585-001N200654._	Infr		Endangerment of a highway worker as defined in Sec 304.580.1	Y	4	Fine not to exceed $1000	Not UFS	Serious traffic violation
304.585-002N200654._	Infr		Aggravated endangerment of a highway worker as defined in Sec 304.580.1	Y	12	Fine not to exceed $5000 if injury to highway worker Fine not to exceed $10000 if death to highway worker	Not UFS	Serious traffic violation
304.665-001N199754._	Misd	C	Oper truck with person under 18 years of age riding in unenclosed bed of truck	N			Not UFS	
304.678-001N200554._	Misd	C	Failure of operator of motor veh to maintain safe distance when passing bicycle - involves accident	Y	2		Not UFS	
304.678-002N200554._	Infr		Failure of operator of motor veh to maintain safe distance when passing bicycle	N	2		$80.50	
304.705-001N200854._	Misd	A	Truck > 24,000 lbs drive in far left lane in violation of Sec. 304.705 w/ accident	Y	2		Not UFS	
304.705-002N200854._	Misd	C	Truck > 24,000 lbs drive in far left lane in violation of Sec.304.705 w/ immediate threat of accident	Y	2		$60.00	
304.705-003N200854._	Infr		Truck > 24,000 lbs drive in far left lane in violation of Sec. 304.705	Y	2		$60.50	

NEW CHARGE CODE	TYPE/ CLASS		DESCRIPTION	ROC?	POINTS	SPECIAL PENALTIES / CIRCUMSTANCES	UFS Fine	CDL
304.820-001N201354._	Infr		Operate commercial motor vehicle while using hand-held mobile telephone	Y	2		$130.50	Serious traffic violation when operating a CMV
304.820-002N200954._	Infr		Person 21 years old or less operate moving noncommercial motor vehicle while sending/reading/texting on mobile electronic device	Y	2		$80.50	
304.820-003N201354._	Infr		Oper commrcl motor vehicle while texting	Y	2		$130.50	Serious traffic violation when operating a CMV
304.892-001N202054._	Misd	C	Overtake or pass another MV in active emergency zone	Y	2	Plus $250 fine for 1st Offense or $300 for 2nd & subsequent offenses	Not UFS	
304.894-001N201354._	Infr		Aggravated endangerment of an emergency responder	Y	12	Fine not to exceed $5000 if injury to emergency responder; Fine not to exceed $10000 if death to emergency responder	Not UFS	Serious traffic violation
304.894-002N201354._	Infr		Endangerment of an emergency responder	Y	4	Fine not to exceed $1000	Not UFS	Serious traffic violation

NEW CHARGE CODE	TYPE/ CLASS		DESCRIPTION	ROC?	POINTS	SPECIAL PENALTIES / CIRCUMSTANCES	UFS Fine	CDL
307.010-001N202054._	Misd	C	Failed to cover or sufficiently secure vehicle load	N			$130.50	
307.015-001N202054._	Infr		Failed to have mud flaps or fenders on truck or truck tractor trailer/have adequate mud flaps	N			$50.50	
307.040-001N202054._	Infr		Failed to display lighted lamps on motor vehicle/motor drawn vehicle/motorcycle as required (general law)	Y	2		$50.50	
307.040-002N202054._	Infr		Operate motor vehicle without lighted lamps when using windshield wipers	Y	2		$10.00	
307.040-003N202054._	Infr		Operate motor vehicle without lighted lamps during periods of fog	Y	2		$10.00	
307.040-004N202054._	Infr		Used unapproved lighting device or equipment on motor vehicle/motor drawn vehicle/motorcycle	N			$50.50	
307.045-001N202054._	Infr		Fail to equip car/truck/bus with 2 approved headlamps/1 on each side/on same level	N			$50.50	
307.045-002N202054._	Infr		Failed to equip motorcycle with an approved headlamp	N			$50.50	
307.045-003N202054._	Infr		Equipped motorcycle with more than 2 headlamps	N			$50.50	
307.045-004N202054._	Infr		Failed to equip motorcycle sidecar with an approved white light	N			$50.50	
307.050-001N202054._	Misd		Violate Section 307.050 regarding alternative to approved headlamps on motor vehicle	N			$50.50	
307.055-001N202054._	Infr		Failed to have singlebeam headlamp properly aimed/with an intensity to see persons/vehicles 200 feet	N			$50.50	
307.060-001N202054._	Infr		Failed to have multiple beam headlamps on passenger car/truck/bus	N			$50.50	
307.060-002N202054._	Infr		Fail to have upper beam headlamps aimed w/intensity to see person/vehicle 350 ft	N			$50.50	
307.060-003N202054._	Infr		Fail to have lower beam headlamps aimed w/intensity to reveal person/vehicle 100 ft	N			$50.50	
307.060-004N202054._	Infr		Operate motor vehicle w/low beam headlamps directed to strike eyes of approaching driver	N			$50.50	

NEW CHARGE CODE	TYPE/ CLASS		DESCRIPTION	ROC?	POINTS	SPECIAL PENALTIES / CIRCUMSTANCES	UFS Fine	CDL
307.065-001N202054._	Infr		Fail to have vehicle equipped with proper beam indicator for multi-beam headlamps	N			$50.50	
307.070-001N202054._	Infr		Failed to dim lights when within 500 ft of oncoming vehicle/300 ft of rear of a vehicle	Y	2		$50.50	
307.075-001N202054._	Infr		Failed to equip motor vehicle/motor drawn vehicle with 2 approved red tail lamps-proper level (knowingly)	N			$50.50	
307.075-002N202054._	Infr		Fail to equip motor vehicle/motor drawn vehicle with rear license lamp/to illuminate license 50 ft	N			$50.50	
307.075-003N202054._	Infr		Fail to equip motorcycle with an approved properly mounted visible red reflector	N			$50.50	
307.075-004N202054._	Infr		Fail to have 2 approved/properly mounted/visible/red reflectors on rear of motor vehicle	N			$50.50	
307.075-005N202054._	Infr		Operated motor vehicle knowing inoperable license lamps/tail lamps	N			$50.50	
307.080-001N202054._	Infr		Equip motor vehicle with more than 3 auxilary lamps on front/mounted auxillary lamps improperly	N			$50.50	
307.085-001N202054._	Infr		Equip motor vehicle w/more than 2 side cowl/fender lamps/wrong color side lamps	N			$50.50	
307.085-002N202054._	Infr		Equipped motor vehicle with backup lamp that is lighted when vehicle is in forward motion	N			$50.50	
307.090-001N202054._	Misd	C	Equipped motor vehicle with more than 1 spotlamp	N			$50.50	
307.090-002N202054._	Misd	C	Aimed or used a motor vehicle spotlamp in a glaring manner/to dazzle a person	N			$50.50	
307.095-001N202054._	Infr		Displayed lighted headlamps of color not substantially white	N			$50.50	
307.095-002N202054._	Infr		Displayed lighted auxilary lamps of color not substantially white or yellow or amber	N			$50.50	
307.095-003N202054._	Infr		Displayed lighted red lamp to front of motor vehicle	N			$50.50	
307.100-001N202054._	Infr		Use lamp other than head/spot/directional/ auxiliary on motor vehicle that projects beam 75 ft	N			$50.50	

NEW CHARGE CODE	TYPE/ CLASS		DESCRIPTION	ROC?	POINTS	SPECIAL PENALTIES / CIRCUMSTANCES	UFS Fine	CDL
307.100-002N202054._	Infr		Used alternative flashing signal on commercial passenger transport vehicle/ railroad passenger cars not loading/unloading passenger	N			$50.50	
307.100-003N202054._	Infr		Used alternative flashing signal for purpose not school bus/mail transport/emergency vehicle/turn signal/load/unload passengers	N			$50.50	
307.105-001N202054._	Infr		Failed to have 2 lighted headlamps - 1 on each side of passenger car/truck/bus	N			$50.50	
307.105-002N202054._	Infr		Displayed more than 4 lighted headlamps on front of motor vehicle	N			$50.50	
307.110-001N202054._	Infr		Failed to display proper lighted lamps on parked passenger car/truck/bus	N			$50.50	
307.115-001N202054._	Infr		Failed to have lighted lamps on agricultural machine/road machine/farm tractor/or have adequate lamps	N			$50.50	
307.122-001N199254._	Misd	C	Operated motor vehicle/trailer on highway while equipped w/device which emits electronic message	N			$50.50	
307.125-001N202054._	Infr		Fail to display required lighted tail lamp, reflector, flashing light, lamp or lantern on animal-driven veh	N			$50.50	
307.125-002N202054._	Infr		Fail to display required flashing light on animal-driven vehicle on highway	N			$50.50	
307.127-001N199654._	Infr		Fail to display adequate triangular emblem in proper location on animal-driven vehicle	N			$50.50	
307.140-001N202054._	Misd	C	Operated school bus or vehicle designed/used to transport passengers for hire not equipped with safety glass	N		Fine not to exceed $50 per offense	$50.50	
307.145-001N202054._	Misd	C	Selling a passenger vehicle that is not a equipped with safety glass	N		Fine not to exceed $50 per offense	$50.50	
307.165-001N197554._	Misd		Failed to equip passenger vehicle with 2 sets of front seat safety belts (motor bus excluded)	N			$50.50	
307.170-001N199654._	Infr		Failed to equip motor vehicle with a horn/maintain horn in good working order	N			$50.50	
307.170-002N199654._	Infr		Failed to equip vehicle with muffler/adequate muffler/properly attached muffler	N			$50.50	

NEW CHARGE CODE	TYPE/ CLASS		DESCRIPTION	ROC?	POINTS	SPECIAL PENALTIES / CIRCUMSTANCES	UFS Fine	CDL
307.170-003N199654._	Infr		Operated motor vehicle with brakes not in good working order (2 sets except motorcycle)	N			$50.50	
307.170-004N199654._	Infr		Failed to equip motor vehicle with mirror to reveal road to rear (applies certain conditions)	N			$50.50	
307.170-005N199654._	Infr		Failed to display red flag/lamp on projection exceeding 5 feet from vehicle	N			$50.50	
307.170-006N199654._	Infr		Towed another vehicle with separation between greater than 15 ft	N			$50.50	
307.170-007N199654._	Infr		Towed vehicle with improper secondary safety device	N			$50.50	
307.170-008N199654._	Infr		Operated motor vehicle on highway with attached/towed hay transporting device in dangerous position	N			$50.50	
307.170-009N199654._	Infr		Failed to display lighted headlamps/tail lamps on vehicle being towed	N			$50.50	
307.170-010N199654._	Infr		Made unnecessary noise with motor vehicle horn/whistle	N			$50.50	
307.170-011N199654._	Infr		Operated motor vehicle which emitted excessive and unnecessary noise	N			$50.50	
307.170-012N199654._	Infr		Operated motor vehicle with muffler cutout	N			$50.50	
307.170-013N199654._	Infr		Operated commercial motor vehicle with equipment not complying with MVI regulations	N			$80.50	
307.171-001N199654._	Infr		Operated motor vehicle between April 1 and November 1 with studded tires	N			$50.50	
307.172-001N202054._	Misd	C	Operated motor vehicle with front/rear bumper(s) raised above maximum bumper height	N			$50.50	
307.172-002N202054._	Misd	C	Operated motor vehicle having bumper(s) as standard equipment w/o front/rear bumpers	N			$50.50	
307.172-003N202054._	Misd	C	Operate motor vehicle without properly equipped bumpers	N			$50.50	
307.172-004N202054._	Misd	C	Operate passenger motor vehicle with front/rear raised to angle to obstruct driver's vision of highway	N			$50.50	

NEW CHARGE CODE	TYPE/ CLASS		DESCRIPTION	ROC?	POINTS	SPECIAL PENALTIES / CIRCUMSTANCES	UFS Fine	CDL
307.173-001N202054._	Misd	C	Operate motor vehicle w/vision reducing material applied to windsheild/ excessive vision reducing material applied to side window	N			$50.50	
307.175-001N198154._	Misd	A	Used siren/blue lamp on motor vehicle/other emergency equipment when not responding to bona fide emergency	N			$80.50	
307.175-002N198154._	Misd	A	Used siren/blue lamp on motor vehicle w/o valid permit from chief of fire dept/ ambulance association	N			$80.50	
307.175-003Y202054._	Misd	A	MoDOT/Contractor/Utility Used Lights Outside Of Work Zone/While Moving	N			Not UFS	
307.177-001N200254._	Misd	A	Operate commercial vehicle when not in compliance with federal hazardous material regs	N		Vehicle placed out of service	$130.50	
307.178-001N197554._	Infr		Driver/front seat passenger fail to wear properly adjusted/fastened safety belt	N		$10 max fine; no court costs	$10.00	
307.178-002N197554._	Infr		Person under age 18 operating or riding in a truck fail to wear properly adjusted/fastened safety belt	N		$10 max fine; no court costs	$10.00	
307.178-003N197554._	Infr		Driver fail to secure child less than 16 years old in properly adjusted/fastened restraint	N		$10 max fine; no court costs	$10.00	
307.179-001N200654._	Infr		Viol Sec 307.179.2 (4) - driver fail to secure child 80 lbs or more or over 4' 9" in booster seat/safety belt	N		$10 max fine; no court costs	$10.00	
307.179-002N200654._	Infr		Viol Secs 307.179.2 (1), (2), or (3) - driver fail to secure child < 8 y/o in child restraint or booster seat ***Note:*** *If a driver receives a citation for violating subdivision (1), (2), or (3) of subsection 2 of this section, the charges shall be dismissed or withdrawn if the driver prior to or at his or her hearing provides evidence of acquisition of a child passenger restraint system or child booster seat which is satisfactory to the court or the party responsible for prosecuting the driver's citation.*	N		$50 max fine and court costs	$49.50	
307.183-001N197554._	Infr		Failed to equip bicycle with brakes that will stop within 25 ft at 10 mph	N		Fine $5-$25	$50.50	

NEW CHARGE CODE	TYPE/ CLASS		DESCRIPTION	ROC?	POINTS	SPECIAL PENALTIES / CIRCUMSTANCES	UFS Fine	CDL
307.185-001N197554._	Infr		Used bicycle without front lighted lamp/red rear reflector (or with inadequate lamp/reflector)	N		Fine $5-$25	$50.50	
307.190-001N197554._	Infr		Failed to operate bicycle as near to right side of highway as practicable	N		Fine $5-$25	$50.50	
307.190-002N197854._	Infr		Failed to operate bicycle with due care when passing vehicle	N		Fine $5-$25	$50.50	
307.191-001N2005554._	Infr		Bicycle rider fail to operate a bicycle in the same direction as vehicles on roadway	N			$50.50	
307.192-001N200554._	Infr		Bicycle rider fail to give hand signal before stop/decrease speed/turn/move right/left on roadway	N			$50.50	
307.195-001N202054._	Misd	C	Operated motorized bicycle on highway or street without valid driver's license	Y	2 4 6		$50.50	
307.195-002N202054._	Misd	C	Operated motorized bicycle on interstate highway	Y	2		$50.50	
307.198-001N200954._	Infr		Unlawfully operate ATV without a muffler system in good working condition and qualified spark arrester	N			$50.50	
307.198-002N200954._	Infr		Unlawfully operate ATV on highway without lighted headlamp and taillamp	N			$50.50	
307.198-003N200954._	Infr		Unlawfully operate ATV on highway without properly mounted required equilateral triangular emblem	N			$50.50	
307.198-004N200954._	Infr		Unlawfully operate ATV without a breaking system in good operating condition	N			$50.50	
307.211-001N200254._	Infr		Operate an electric personal assistive mobility device on roadway when speed limit > 45 mph	N			Not UFS	
307.350-001N202054._	Infr		Failed to display certificate of vehicle inspection or approval	N			$50.50	
307.360-001N202054._	Misd		Inspecting without a valid permit	N			Not UFS	
307.360-002N202054._	Misd		Inspecting at an unapproved location	N			Not UFS	
307.360-003N202054._	Misd		Exceed private inspection station authority by inspecting vehicle of person not listed in permit	N			Not UFS	
307.365-001N202054._	Misd	C	Charging excessive inspection fee	N			Not UFS	

NEW CHARGE CODE	TYPE/ CLASS		DESCRIPTION	ROC?	POINTS	SPECIAL PENALTIES / CIRCUMSTANCES	UFS Fine	CDL
307.365-002N202054._	Misd	C	Furnished/loaned/gave/sold vehicle inspection permit to unentitled person	N			Not UFS	
307.365-003N202054._	Misd	C	Performed unauthorized repairs	N			Not UFS	
307.365-004N202054._	Misd	C	Performed improper/incomplete vehicle inspection	N			Not UFS	
307.365-005N202054._	Misd	C	Possess stolen/counterfeit/illegally purchased vehicle inspection certificate/sticker	N			Not UFS	
307.365-006N202054._	Misd	C	Failed to surrender vehicle inspection station permit	N			Not UFS	
307.365-007N202054._	Misd	C	Inspection Station Owner/Operator Failure To Maintain Liability Insurance	N			Not UFS	
307.370-001N202054._	Misd		Making/issuing/knowingly using imitation/counterfeit inspection sticker/seal/ other device	N			Not UFS	
307.370-002N202054._	Misd		Issued certificate of vehicle inspection or sticker without valid permit	N			Not UFS	
307.370-003N202054._	Misd		Displayed/permitted display of fictitious vehicle inspection certificate/sticker	N			Not UFS	
307.370-004N202054._	Misd		Misprepresent Station As Official Inspection Station Without Valid Permit	N			Not UFS	
307.375-001N202054._	Misd	C	Operate school bus that was inspected and found unsafe w/o making corrections	Y	0		Not UFS	
307.375-002N202054._	Misd	C	Transport Children In School Bus Without Certificate Of Inspection, Sticker, Deal Or Other Device	N			Not UFS	
307.380-001N201154._	Infr		Failed to have vehicle inspected immediately prior to sale	N			$50.50	
307.400-001N202054._	Misd	B	Failed to keep proper/made false motor carrier driver's record - exceeded maximum driving time	N			Not UFS	
307.400-002N202054._	Misd	B	Operated as motor carrier without medical certificate	N			$80.50	
307.400-003N202054._	Misd	B	Failed to remain with/attend motor carrier vehicle transporting hazardous materials	N			$80.50	
307.400-004N202054._	Misd	B	Smoked/carried lighted cigarette within 25 feet of motor carrier vehicle transporting hazardous materials	N			$80.50	

NEW CHARGE CODE	TYPE/ CLASS		DESCRIPTION	ROC?	POINTS	SPECIAL PENALTIES / CIRCUMSTANCES	UFS Fine	CDL
307.400-005N202054._	Misd	B	Failed to properly mark motor carrier vehicle transporting hazardous materials	N			$80.50	
307.400-006N202054._	Misd	B	Driver under 21 transported hazardous material	Y	2		$80.50	
307.400-007N202054._	Misd	B	Driver used radar detector while in commercial motor vehicle	N			$80.50	
307.400-008N202054._	Misd	B	Operate a commercial motor vehicle equipped with and/or contained a radar detector	N			$80.50	
307.400-009N202054._	Misd	B	Required or permitted driver to operate commercial motor vehicle equipped with or containing a radar detector	N			$80.50	
307.400-010N202054._	Misd	B	Operate motor carrier vehicle with improper/ defective lights/signaling devices/ reflectors/electric devices	N			$80.50	
307.400-011N202054._	Misd	B	Operate motor carrier vehicle w/vision reducing damage/vision discoloration/glazing covered	N			$50.50	
307.400-012N202054._	Misd	B	Failed to equip motor carrier vehicle with or maintain required brake system	N			$130.50	
307.400-013N202054._	Misd	B	Failed to properly install/protect/cover battery or wiring on motor carrier vehicle	N			$80.50	
307.400-014N202054._	Misd	B	Failed to properly mount/secure/vent/ maintain fuel tank/lines on motor carrier vehicle	N			$80.50	
307.400-015N202054._	Misd	B	Operated motor carrier vehicle with 5th wheel in position to interfere with safety or weight	N			$80.50	
307.400-016N202054._	Misd	B	Operate motor carrier vehicle on tires with fabric exposed/inferior load rate/groove dept	N			$80.50	
307.400-017N202054._	Misd	B	Operate motor carrier vehicle with wipers not in condition to provide clear driver vision	N			$80.50	
307.400-018N202054._	Misd	B	Operate motor carrier vehicle in ice/snow/frost conditions without a defrosting device	N			$80.50	
307.400-019N202054._	Misd	B	Failed to display red flag or lamp on projection exceeding 4 feet from motor carrier vehicle	N			$80.50	
307.400-020N202054._	Misd	B	Fail to equip motor carrier vehicle with mirrors capable of reflecting clear rear view	N			$80.50	

NEW CHARGE CODE	TYPE/ CLASS		DESCRIPTION	ROC?	POINTS	SPECIAL PENALTIES / CIRCUMSTANCES	UFS Fine	CDL
307.400-021N202054._	Misd	B	Operate motor carrier vehicle with improper/defective tow bar/5th wheel/saddle mount/pintle	N			$80.50	
307.400-022N202054._	Misd	B	Fail to equip motor carrier power unit with fire extinguisher properly filled/ accessible	N			$80.50	
307.400-023N202054._	Misd	B	Fail to equip motor carrier vehicle with devices to assure load would not shift/ fall	N			$130.50	
307.400-024N202054._	Misd	B	Operate commercial motor vehicle/trailer declared out-of-service for inadequate/defective equipment/hazardous material markings	N			$80.50	
307.400-025N202054._	Misd	B	Misc Fed Mtr Carrier Code - any federal motor carrier charge not itemized in this section shall be assigned this code	N			$80.50	
307.400-026N202054._	Misd	B	Operated commercial motor vehicle while driver is subject to an out-of-service order	N			$80.50	
307.400-027N202054._	Misd	B	Operate or dispatch motor carrier vehicle knowing defect in exhaust could be hazardous to occupant	N			$80.50	
307.400-028N202054._	Misd	B	Operating commercial motor vehicle without seatbelt	N			$50.50	
307.400-029N202054._	Misd	B	Operated motor carrier vehicle with unsafe/improper frame/suspension/axle/wheel/ rim and or steerng system	N			$130.50	

NEW CHARGE CODE	TYPE/ CLASS		DESCRIPTION	ROC?	POINTS	SPECIAL PENALTIES / CIRCUMSTANCES	UFS Fine	CDL
311.050-001N202041._	Misd		Manufacture liquor without proper license	N			Not FCC	
311.060-001N202041._	Misd		Failure of licensee to report employment of convicted felon	N			Not FCC	
311.100-001N202041._	Misd		Sale by the drink without license original package	N			Not FCC	
311.180-001N202041._	Misd		Manufacture or sale of liquor without license	N			Not FCC	
311.191-001N202041._	Misd	C	Failure by vintage wine auctioneer to establish source of wine	N			Not FCC	
311.196-001N202041._	Misd		Sell 32 ounces or more of beer in violation of this section	N			Not FCC	
311.200-001N202041._	Misd		Consumption of liquor on premises where sold	N			Not FCC	
311.220-001N202041._	Misd		Fail to pay county teasury of permit/license a fee not exceeding corresponding state fee or in municpality a fee not exceeding 1 1/2 times state fee	N			Not FCC	
311.240-001N202041._	Misd	A	Conducting business without federal receipt affixed to liquor license	N			Not FCC	
311.270-001N202041._	Misd		Possession of intoxicating liquor when licensed to sell malt liquor only	N			Not FCC	
311.280-001N202041._	Misd		Purchasing liquor from someone other than wholesaler	N			Not FCC	
311.290-002Y202041._	Misd	A	After hours/Sunday sales of liquor-failure to keep a closed place	N			Not FCC	
311.300-001N202041._	Misd		Minor selling intoxicating liquor	N			Not FCC	
311.300-002N202041._	Misd		Permit minor to sell non-intoxicating beer	N			Not FCC	
311.310-001Y202041._	Misd		Supplying liquor to a minor or intoxicated person	N		Fine $50-$100; 1 yr jail max	Not FCC	
311.310-002Y202041._	Misd	A	Owner/occupant/other perosn/legal entity knowingly allow/fail to stop a person under 21 yoa from drink/possess intox liquor-2nd/sub ofns	N			Not FCC	
311.310-003Y202041._	Misd	B	Fail To Stop Person Under 21 From Drinking/Possessing Intoxicating Liquor	N			Not FCC	

NEW CHARGE CODE	TYPE/ CLASS		DESCRIPTION	ROC?	POINTS	SPECIAL PENALTIES / CIRCUMSTANCES	UFS Fine	CDL
311.320-001N202041._	Misd		Misrepresentation of age by minor to obtain liquor	N		Fine of $500 for each separate offense if minor uses altered ID for purpose of purchasing liquor	Not FCC	
311.325-001Y202041._	Misd	D	Purchase/attempt purchase or possession of liquor by minor - 1st Offense	N		Fine $50-$100; 1 yr jail max	Not FCC	
311.325-002Y202041._	Misd	A	Purchase/attempt purchase or possession of liquor by minor - 2nd or Subsequent Offense	*		Fine $50-$100; 1 yr jail max; DL suspended if ordered by court	Not FCC	
311.325-003Y202041._	Misd	D	Minor visibly intox / Blood Alcohol Content more than .02% - 1st offense	*		Fine $50-$100; 1 yr jail max; DL suspended if ordered by court	Not FCC	
311.325-004Y202041._	Misd	A	Minor visibly intox / Blood Alcohol Content more than .02% - 2nd or subsequent offense	*		Fine $50-$100; 1 yr jail max; DL suspended if ordered by court	Not FCC	
311.328-001Y201554._	Misd		Reproduce/alter/modify/misrepresent w/o authorization any operator's license or ID card issued by DOR	N		Fine $50-$100; 1 yr jail max; DL suspended if ordered by court	Not FCC	
311.329-001Y201554._	Misd	A	Person < 21 yrs possess reproduced, modified or altered driver's license, military ID, or identification card	N			Not FCC	
311.330-001N202041._	Misd		Possession of liquor not authorized in license	N			Not FCC	
311.333-001N202041._	Misd		Fail to provide information regarding liquor as required by this section	N			Not FCC	
311.335-001N202041._	Misd		Offer to sell or purchase close-out liquor merchandise in violation of this section	N			Not FCC	
311.338-001N202041._	Misd		Violation of wholesale price regulations	N			Not FCC	
311.360-001N202041._	Misd		Misrepresentation of brand of liquor	N			Not FCC	
311.480-001Y202041._	Misd	A	Liquor sales without license-permitting consumption by minor/after hours/on Sunday	N			Not FCC	
311.490-001N202041._	Misd		Brew/manufacture/sell beer/malt liquor w/ingredients not in compliance w/standards in Sec 311.490	N			Not FCC	
311.550-002N202041._	Misd		Failure to destroy empty liquor containers	N			Not FCC	
311.580-001N202041._	Misd		Possession of illegal or untaxed liquor alcohol	N			Not FCC	

NEW CHARGE CODE	TYPE/ CLASS		CHARGE CODE	DESCRIPTION	ROC?	POINTS	SPECIAL PENALTIES / CIRCUMSTANCES	UFS Fine	CDL
390.041-001N202054._	Misd		4634306.0	Operate as common/contract carrier in intrastate commerce w/o document for load	N			$80.50	
390.041-002N198454._	Misd		4635806.0	Operated mtr carrier veh leased to shipper/receiver	N			$80.50	
390.041-003N198454._	Misd		4636106.0	Operate leased motor carrier vehicle w/o copy of lease in vehicle/with expired lease markings	N			$80.50	
390.041-004N198454._	Misd		4637306.0	Displayed altered/erased/undated cab card with motor carrier vehicle	N			$80.50	
390.041-005N198454._	Misd		4955006.0	Fail to display name/permit/certificate number on both sides of motor carrier vehicle	N			$80.50	
390.051-001N197554._	Misd		4611306.0	Operated as common carrier in intrastate commerce w/o Highways and Transportation Commission certification	N			$80.50	
390.061-001N197554._	Misd		4612206.0	Operated as contract carrier in intrastate commerce without Highways and Transportation Commission certification	N			$80.50	
390.063-001N199254._	Misd		4848106.0	Failed to equip commercial passenger- carrying vehicle with proper/adequate emergency equipment	N			$80.50	
390.063-002N199254._	Misd		4848206.0	Oper commercial passenger-carrying vehicle w/o required emergency markings for escape doors/windows	N			$80.50	
390.063-003N199254._	Misd		4848906.0	Operated commercial passenger-carrying vehicle with improper/defective coupling device articulated	N			$80.50	
390.066-001Y201554._	Misd	A	4686006.0	Knowingly allow person to drive a commercial vehicle while the person's license is suspended/revoked/cancelled	N			Not UFS	
390.136-001N200454._	Misd		4616606.0	Operate motor carrier without regulatory or 72 hour license accompanying	N			$80.50	
390.136-002N197554._	Misd		4616706.0	Displayed altered/fraudulent/incomplete PSC decal/or affixed decal nonpermanent	N		Maximum fine $100	$80.50	
390.136-003N197554._	Misd		4617006.0	Failed to transfer PSC stamp/cab card to substitute motor carrier vehicle	N		Maximum fine $100	$80.50	
390.171-001Y202054._	Misd	A	46040__._	Miscellaneous motor carrier violation	N		Maximum fine $100	Not UFS	
390.330-001N202073._	Misd		5413299._	Make restricted info of MODOT available to public w/o an order from div director or an admin law judge	N			Not UFS	

NEW CHARGE CODE	TYPE/ CLASS		DESCRIPTION	ROC?	POINTS	SPECIAL PENALTIES / CIRCUMSTANCES	UFS Fine	CDL
577.010-019Y202054._	Fel	B	DWI - Habitual	Y	8 – 1st conviction 12 – 2nd conviction		Not UFS	1 year disqualification - 1st offense Lifetime disqualification - 2nd/sub offense
577.010-020Y202054._	Fel	B	DWI - Death Of LEO/Emergency Personnel	Y	12	5- year denial-DWI-Fatality; may also result in a 10- year license denial	Not UFS	1 year disqualification - 1st offense Lifetime disqualification - 2nd/sub offense
577.010-021Y202054._	Fel	B	DWI - Death Of 2 Or More	Y	12	5- year denial-DWI-Fatality; may also result in a 10- year license denial	Not UFS	1 year disqualification - 1st offense Lifetime disqualification - 2nd/sub offense
577.010-022Y202054._	Fel	C	DWI - Chronic offender	Y	8 – 1st conviction 12 – 2nd conviction	NO SIS, No fine in lieu of imprisonment. **NO PROBATION OR PAROLE until serving Minimum sentence 2 Years**	Not UFS	1 year disqualification - 1st offense Lifetime disqualification - 2nd/sub offense
577.010-023Y202054._	Fel	C	DWI - Serious Physical Injury To L/E Or Emergency Personnel	Y	12	1 year revocation; may also result in 5- or 10- year license denial	Not UFS	1 year disqualification - 1st offense Lifetime disqualification - 2nd/sub offense
577.010-024Y202054._	Fel	C	DWI - Death Of Another	Y	12	5- year denial-DWI-Fatality; may also result in a 10- year license denial	Not UFS	1 year disqualification - 1st offense Lifetime disqualification - 2nd/sub offense
577.010-025Y202054._	Fel	D	DWI - Aggravated Offender	Y	8 – 1st conviction 12 – 2nd conviction	NO SIS, No fine in lieu of imprisonment. **NO PROBATION OR PAROLE until serving Minimum sentence 60 Days**	Not UFS	1 year disqualification - 1st offense Lifetime disqualification - 2nd/sub offense
577.010-026Y202054._	Fel	D	DWI - Physical Injury To L/E Or Emergency Personnel	Y	12		Not UFS	1 year disqualification - 1st offense Lifetime disqualification - 2nd/sub offense
577.010-027Y202054._	Fel	D	DWI - Serious Physical Injury	Y	12		Not UFS	1 year disqualification - 1st offense Lifetime disqualification - 2nd/sub offense

NEW CHARGE CODE	TYPE/ CLASS		DESCRIPTION	ROC?	POINTS	SPECIAL PENALTIES / CIRCUMSTANCES	UFS Fine	CDL
577.010-028Y202054._	Fel	E	DWI - Persistent offender	Y	8 – 1st conviction 12 – 2nd conviction	NO SIS, No fine in lieu of imprisonment. **Minimum sentence 30 days -** Unless ordered to perform **60 days** community service on probation/parole or completes DWI court, if available. For additional information see DWI section.	Not UFS	1 year disqualification - 1st offense Lifetime disqualification - 2nd/sub offense
577.010-029Y202054._	Fel	E	DWI - Physical Injury	Y	12			1 year disqualification - 1st offense Lifetime disqualification - 2nd/sub offense
577.010-030Y202054._	Misd	A	DWI - Prior offender	Y	8 – 1st conviction 12 – 2nd conviction	NO SIS, No fine in lieu of imprisonment. **Minimum sentence 10 days** - Unless ordered to perform **30 days** community service on probation/parole or completes DWI court, if available. For additional information see DWI section.	Not UFS	1 year disqualification - 1st offense Lifetime disqualification - 2nd/sub offense
577.010-031Y202054._	Misd	A	DWI - Person Less Than 17 Years of Age In Vehicle	Y	8 – 1st conviction 12 – 2nd conviction		Not UFS	1 year disqualification - 1st offense Lifetime disqualification - 2nd/sub offense
577.010-032Y202054._	Misd	B	Driving While Intoxicated	Y	8 – 1st conviction 12 – 2nd conviction	SIS only if given minimum 2 years probation. If over .15% BAC see DWI section for additional information.	Not UFS	1 year disqualification - 1st offense Lifetime disqualification - 2nd/sub offense
577.010-033Y202054._	Fel	B	DWI - Deather Of Another Not A Passenger	Y	12	5- year denial-DWI-Fatality; may also result in a 10- year license denial	Not UFS	1 year disqualification - 1st offense Lifetime disqualification - 2nd/sub offense

NEW CHARGE CODE	TYPE/ CLASS		DESCRIPTION	ROC?	POINTS	SPECIAL PENALTIES / CIRCUMSTANCES	UFS Fine	CDL
577.010-034Y202054._	Fel	A	DWI - 2nd Or Subsequent Felony B (577.010.2(6)(a-e))	Y	8 – 1st conviction 12 – 2nd conviction		Not UFS	1 year disqualification - 1st offense Lifetime disqualification - 2nd/sub offense
577.010-035Y202054._	Fel	B	DWI - BAC ≥.18 And Death Of A Person	Y	12	5- year denial-DWI-Fatality; may also result in a 10- year license denial	Not UFS	1 year disqualification - 1st offense Lifetime disqualification - 2nd/sub offense
577.012-001Y202054._	Fel	B	BAC - Habitual Offender	Y	8 – 1st conviction 12 – 2nd conviction		Not UFS	1 year disqualification - 1st offense Lifetime disqualification - 2nd/sub offense
577.012-002Y202054._	Fel	B	BAC - CMV (.04 Or More) - Habitual Offender	Y	2		Not UFS	1 year disqualification - 1st offense Lifetime disqualification - 2nd/sub offense
577.012-003Y202054._	Fel	C	BAC - Chronic Offender	Y	8 – 1st conviction 12 – 2nd conviction		Not UFS	1 year disqualification - 1st offense Lifetime disqualification - 2nd/sub offense
577.012-004Y202054._	Fel	C	BAC - CMV (.04 - .079) - Chronic Offender	Y	12		Not UFS	1 year disqualification - 1st offense Lifetime disqualification - 2nd/sub offense
577.012-005Y202054._	Fel	D	BAC - Aggravated Offender	Y	8 – 1st conviction 12 – 2nd conviction		Not UFS	1 year disqualification - 1st offense Lifetime disqualification - 2nd/sub offense
577.012-006Y202054._	Fel	D	BAC - CMV (.04 - .079) - Aggravated Offender	Y	12		Not UFS	1 year disqualification - 1st offense Lifetime disqualification - 2nd/sub offense
577.012-007Y202054._	Fel	E	BAC - Persistent Offender	Y	8 – 1st conviction 12 – 2nd conviction		Not UFS	1 year disqualification - 1st offense Lifetime disqualification - 2nd/sub offense
577.012-008Y202054._	Fel	E	BAC - CMV (.04 - .079) - Persistent Offender	Y	12		Not UFS	1 year disqualification - 1st offense Lifetime disqualification - 2nd/sub offense

NEW CHARGE CODE	TYPE/ CLASS		DESCRIPTION	ROC?	POINTS	SPECIAL PENALTIES / CIRCUMSTANCES	UFS Fine	CDL
577.012-009Y202054._	Misd	A	BAC - Prior Offender	Y	8 – 1st conviction 12 – 2nd conviction		Not UFS	1 year disqualification - 1st offense Lifetime disqualification - 2nd/sub offense
577.012-010Y202054._	Misd	A	BAC - CMV (.04 - .079) - Prior Offender	Y	2		Not UFS	1 year disqualification - 1st offense Lifetime disqualification - 2nd/sub offense
577.012-011Y202054._	Misd	B	Blood Alcohol Content	Y	8 – 1st conviction 12 – 2nd conviction		Not UFS	1 year disqualification - 1st offense Lifetime disqualification - 2nd/sub offense
577.012-012Y202054._	Misd	B	BAC - CMV (.04 - .079)	Y	12		Not UFS	1 year disqualification - 1st offense Lifetime disqualification - 2nd/sub offense
577.017-001N202054._	Infr		Consume Alcoholic Beverage While Driving	Y			Not UFS	
577.060-001Y202054._	Fel	E	Leaving Scene Of Accident- Physical Injury		12	1 year revocation	Not UFS	
577.060-002Y202054._	Fel	E	Leaving Scene Of Accident-Property Damage Exceeding $1,000		12	1 year revocation	Not UFS	
577.060-003Y202054._	Fel	E	Leaving Scene Of Accident-2nd Offense		12	1 year revocation	Not UFS	
577.060-005Y202054._	Misd	A	Leaving scene of accident	Y	12	1 year revocation	Not UFS	
577.060-006Y202054._	Fel	D	Leaving Scene Of Accident-Accident Resulting In Death	Y	12	1 year revocation	Not UFS	1 year disqualification - 1st offense Lifetime disqualification - 2nd/sub offense
577.068-001Y202048._	Fel	E	Failure To Report A Shooting - Prior Offense	N			Not UFS	
577.068-002Y202048._	Misd	A	Failure To Report A Shooting - 1st Offense	N			Not UFS	

NEW CHARGE CODE	TYPE/ CLASS		DESCRIPTION	ROC?	POINTS	SPECIAL PENALTIES / CIRCUMSTANCES	UFS Fine	CDL
577.070-001Y202055._	Misd	A	Littering - Physical Injury Or Property Damage	N			Not UFS	
577.070-002Y202055._	Misd	A	Littering - Prior Offense	N			Not UFS	
577.070-003Y202055._	Misd	C	Littering - 1st Offense	N			Not UFS	
577.073-001Y202029._	Misd	A	Damaging State Park Property - Physical Injury Or Property Damage	N			Not UFS	
577.073-002Y202029._	Misd	A	Damaging State Park Property - Prior Offense	N			Not UFS	
577.073-003Y202029._	Misd	C	Damaging State Park Property - 1st Offense	N			Not UFS	
577.076-001N202055._	Misd	C	Littering W/Carcass - Put Into Any Well, Spring, Pond Etc Or Any Nuisnce In Or Near Public Road, Highway, Etc Not Ones Own	N			$79.50	
577.080-001N202054._	Misd	A	Abandon motor vehicle or trailer	N			Not UFS	
577.300-001Y202055._	Fel	C	Leaving A Child Unattended In A Motor Vehicle - 1st Degree	N			Not UFS	
577.300-002Y202055._	Misd	A	Leaving A Child Unattended In A Motor Vehicle - 2nd Degree	N			Not UFS	
577.599-001Y202054._	Misd	A	Failure To Comply With Ignition Interlock Device Requirements	N	2	1-year suspension first conviction; 5-year suspension on second conviction	Not UFS	
577.600-001Y201554._	Misd	A	Know Rented Leased Or Lent Motor Vehicle W/Out Functioning Ignition Interlock Device To Individual W/Restricted Driving Privilege	N			Not UFS	
577.605-001Y202054._	Misd	A	Failure To Notify Another Of Ignition Interlock Device Requirements	N			Not UFS	
577.612-001Y202054._	Misd	A	Tamper Or Circumvent Operation Of Ignition Interlock Device	Y	2		Not UFS	
577.675-001Y2020803._	Fel	D	Transportation of illegal alien	Y	12	1 year revocation	Not UFS	1 year disqualification - 1st offense Lifetime disqualification - 2nd/sub offense
577.703-001Y202013._	Fel	A	Assault With Intent To Commit Bus Hijacking With A Weapon	N			Not UFS	

NEW CHARGE CODE	TYPE/ CLASS		DESCRIPTION	ROC?	POINTS	SPECIAL PENALTIES / CIRCUMSTANCES	UFS Fine	CDL
577.703-002Y202024._	Fel	B	Bus Hijacking	*	12		Not UFS	
577.703-003Y202052._	Fel	C	Possession And Concealment Of A Dangerous Or Deadly Weapon On A Bus	N			Not UFS	

CHARGE CODE	TYPE	DESCRIPTION	ROC?	POINTS	SPECIAL PENALTIES / CIRCUMSTANCES	UFS Fine	CDL
ORDIN.0-013N20005499._	Ordin	Operate ATV upon a highway/street not authorized	Y	2		$ 50.50	
ORDIN.0-014N20005499._	Ordin	Operate ATV carrying a passenger	Y	2		$ 50.50	
ORDIN.0-015N20005499._	Ordin	Operate ATV without proper bicycle safety flag	N			$ 50.50	
ORDIN.0-016N20005499._	Ordin	Operate ATV within a stream or river	N			$ 149.50	
ORDIN.0-017N20005499._	Ordin	Operate ATV on highway without operator or chauffeur license	Y	2		$ 60.50	
ORDIN.0-018N20005499._	Ordin	Operate ATV on private property without consent of property owner	N				
ORDIN.0-019N20005499._	Ordin	Person < 16 yrs old operate ATV not accompanied/under supervision of parent/guardian or authorized person	N				
ORDIN.0-020N20005499._	Ordin	Operate ATV on hwy in excess of 30 mph	Y	2		$ 60.50	
ORDIN.0-021N20005499._	Ordin	Person under 18 yrs of age operate ATV w/out securely fastened safety helmet on head	N			$ 50.50	
ORDIN.0-022N20005499._	Ordin	Operate ATV in careless way endangering person or property of another	Y	2			
ORDIN.0-023N20005499._	Ordin	Operate ATV while under the influence of alcohol	Y	2			
ORDIN.0-024N20005499._	Ordin	Operate ATV while under influence of controlled substance	Y	2			
ORDIN.0-025N20005499._	Ordin	Miscellaneous ATV violation	N				
ORDIN.0-028N20005499._	Ordin	Operate motor vehicle in careless and reckless manner	Y	2			
ORDIN.0-029N20005499._	Ordin	Operate MV in careless & imprudent manner - involving an accident	Y	2			
ORDIN.0-030N20035499._	Ordin	Inattentive driving	Y	2			
ORDIN.0-031N20035499._	Ordin	Fail to remain in moving vehicle	Y	2			
ORDIN.0-037N20005499._	Ordin	Cause/knowingly permit child/ward under age 16 to drive motor vehicle	Y	2			
ORDIN.0-038Y20005499._	Ordin	Expired license	Y	2		$ 50.50	
ORDIN.0-039Y20005499._	Ordin	Operate vehicle on highway without valid or no license	Y	2			
ORDIN.0-040Y20005499._	Ordin	Operate motorcycle when driver's license not validated for such - 1st or 2nd offense	Y	2			
ORDIN.0-041N20045499._	Ordin	Operate vehicle without maintaining financial responsibility	Y	4			
ORDIN.0-042N20045499._	Ordin	Operate vehicle knowing owner has not maintained financial responsibility	Y	4			
ORDIN.0-043N20005499._	Ordin	Authorized or knowingly permitted person to drive motor vehicle who had no legal right	Y	2			
ORDIN.0-044N20035499._	Ordin	Improper CDL class	Y	2			
ORDIN.0-045N20005499._	Ordin	Operate commercial motor vehicle without valid commercial drivers license	Y	2			

CHARGE CODE	TYPE	DESCRIPTION	ROC?	POINTS	SPECIAL PENALTIES / CIRCUMSTANCES	UFS Fine	CDL
ORDIN.0-046Y20005499._	Ordin	Operate commercial motor vehicle with a suspended/ revoked/cancelled license	Y	12	1 year revocation		1 year disqualification if in CMV with prior CMV withdrawal (suspension, revocation, disqualification)
ORDIN.0-047N20005499._	Ordin	Permitted invalidated licensee to operate motorcycle	Y	2		$ 70.50	
ORDIN.0-048N20005499._	Ordin	Failed to comply w/condition of restricted drivers license (for vision)	Y	2			
ORDIN.0-049Y20005499._	Ordin	Operate motor vehicle w/o obtaining new drivers license after being revoked/suspended	Y	12	1 year revocation		
ORDIN.0-050N20005499._	Ordin	Displayed/possessed fictitious/cancelled/suspended/revoked/altered driver license	Y	2			
ORDIN.0-051N20005499._	Ordin	Reproduce/alter/modify/misrepresent operator license or ID card issued by DOR	Y	2			
ORDIN.0-052N20005499._	Ordin	Represented the drivers license of another person to be his/hers	Y	2			
ORDIN.0-053N20005499._	Ordin	Loaned drivers license to another person	N				
ORDIN.0-054N20035499._	Ordin	Fail to produce license on demand	Y	2			
ORDIN.0-055N20045499._	Ordin	Forge/misrepresent motor vehicle accident/financial responsibility information to DOR knowingly	N				
ORDIN.0-056N20005499._	Ordin	Provided fraudulent information in application for drivers license	Y	2			
ORDIN.0-057Y20005499._	Ordin	Driving While Revoked or Driving While Suspended	Y	12	1 year revocation		
ORDIN.0-058N20005499._	Ordin	Operate school bus while permit suspended (suspended for failure to pass drug alcohol or chemical test)	Y	12			
ORDIN.0-059N20005499._	Ordin	Failed to comply with conditions of restricted drivers license (for physical infirmity)	Y	2			
ORDIN.0-060N20005499._	Ordin	Failure to comply with temporary instructions/driver permit	N				
ORDIN.0-061Y20045499._	Ordin	Driving while license revoked (suspended for stealing motor fuel)	Y	12	1 year revocation		
ORDIN.0-062Y20005499._	Ordin	Operated motor vehicle on highway while drivers license/privilege revoked (for abuse and lose law)	Y	12	1 year revocation		
ORDIN.0-063Y20005499._	Ordin	Operated motor vehicle on highway while drivers license/privilege revoked (points/failure to take test)	Y	12	1 year revocation		
ORDIN.0-064Y19805499._	Ordin	Operate motor vehicle on highway while driver license/privilege revoked (revoked for probable cause of .08% BAC and zero tolerance)	Y	12	1 year revocation		
ORDIN.0-065Y20005499._	Ordin	Operate motor vehicle on highway while driver license/privilege revoked (suspened for probable cause .08% BAC and zero tolerance)	Y	12	1 year revocation		
ORDIN.0-066Y20005499._	Ordin	Operated motor vehicle on highway while drivers license/privilege revoked (suspended for points)	Y	12	1 year revocation		

CHARGE CODE	TYPE	DESCRIPTION	ROC?	POINTS	SPECIAL PENALTIES / CIRCUMSTANCES	UFS Fine	CDL
ORDIN.0-067Y20005499._	Ordin	Operate motor vehicle on highway while drivers license/privilege suspended (for improprieties in compact state)	Y	12	1 year revocation		
ORDIN.0-068Y20005499._	Ordin	Operate motor vehicle while suspended or revoked after failing exam/failing to submit to exam required by DOR	Y	12	1 year revocation		
ORDIN.0-069Y20005499._	Ordin	Operate motor vehicle on highway while driver license/privilige revoked (suspended for nonappearance/nonpayment of court fines/costs)	Y	12	1 year revocation		
ORDIN.0-070Y20005499._	Ordin	Operate motor vehicle on highway while driver license/privilege revoked (suspended for nonpayment of child support)	Y	12	1 year revocation		
ORDIN.0-071Y20005499._	Ordin	Operate commercial motor vehicle while driver privileges are suspended, revoked, cancelled from operating commercial motor vehicle	Y	12	1 year revocation		1 year disqualification if in CMV with prior CMV withdrawal (suspension, revocation, disqualification)
ORDIN.0-072N19805499._	Ordin	Operate commercial motor vehicle while driver privileges are disqualified from operating commercial motor vehicle	Y	12	1 year revocation		1 year disqualification
ORDIN.0-073Y19875499._	Ordin	Operate motor vehicle on highway while driver license suspended	Y	12	1 year revocation		1 year disqualification if in CMV with prior CMV withdrawal (suspension, revocation, disqualification)
ORDIN.0-074N20005499._	Ordin	Operate motor vehicle on highway while driver's registration suspended	N				
ORDIN.0-075N20035499._	Ordin	Miscellaneous driving license violation	N				
ORDIN.0-080Y200054__._	Ordin	Excessive BAC	Y	8 for 1st conviction; 12 for 2nd or sub conviciton			
ORDIN.0-081Y200054__._	Ordin	Excessive BAC - prior offender	Y	8 for 1st conviction; 12 for 2nd or sub conviciton			
ORDIN.0-082Y200054__._	Ordin	Drove commercial motor vehicle - BAC over .04%	Y	2			1 year for 1st conviction; Lifetime for second/sub conviction

CHARGE CODE	TYPE	DESCRIPTION	ROC?	POINTS	SPECIAL PENALTIES / CIRCUMSTANCES	UFS Fine	CDL
ORDIN.0-083Y200054__._	Ordin	Drove commercial motor vehicle under influence of controlled substance	Y	8 for 1st conviction; 12 for 2nd or sub conviciton			1 year for 1st conviction; Lifetime for second/sub conviction
ORDIN.0-084N200054__._	Ordin	Drinking alcoholic beverage while operating moving vehicle	Y	2			
ORDIN.0-085Y200054__._	Ordin	DWI - alcohol	Y	8 for 1st conviction; 12 for 2nd or sub conviciton			
ORDIN.0-086Y200054__._	Ordin	DWI - alcohol - prior offender	Y	8 for 1st conviction; 12 for 2nd or sub conviciton			1 year for 1st conviction; Lifetime for second/sub conviction
ORDIN.0-087Y200054__._	Ordin	DWI - drug intoxication	Y	8 for 1st conviction; 12 for 2nd or sub conviciton			1 year for 1st conviction; Lifetime for second/sub conviction
ORDIN.0-088Y200054__._	Ordin	DWI - drug intoxication - prior offender	Y	8 for 1st conviction; 12 for 2nd or sub conviciton			1 year for 1st conviction; Lifetime for second/sub conviction
ORDIN.0-089Y20005499._	Ordin	DWI - combined alcohol/drug intoxication	Y	8 for 1st conviction; 12 for 2nd or sub conviciton			1 year for 1st conviction; Lifetime for second/sub conviction
ORDIN.0-090Y19995499._	Ordin	DWI - combined alcohol/drug intoxication - prior offender	Y	8 for 1st conviction; 12 for 2nd or sub conviciton			1 year for 1st conviction; Lifetime for second/sub conviction
ORDIN.0-091Y20045499._	Ordin	Failed to comply with court order requiring use of ignition interlock device-1st offense	Y	2	1-year revocation on 1st conviction; 5-year revocation on 2nd conviction		
ORDIN.0-092Y20045499._	Ordin	Failed to comply with court order requiring use of ignition interlock device-2nd offense	Y	2	1-year revocation on 1st conviction; 5-year revocation on 2nd conviction		

CHARGE CODE	TYPE	DESCRIPTION	ROC?	POINTS	SPECIAL PENALTIES / CIRCUMSTANCES	UFS Fine	CDL
ORDIN.0-093Y20045499._	Ordin	Violation of ignition interlock restrictions	Y	2	1-year revocation on 1st conviction; 5-year revocation on 2nd conviction		
ORDIN.0-094N20005599._	Ordin	Drive across fire hose in use	Y	2			
ORDIN.0-096N20005499._	Ordin	Following fire vehicle	Y	2			
ORDIN.0-105N20005499._	Ordin	Improper backing	Y	2		$ 60.50	
ORDIN.0-106N20035499._	Ordin	Weaving	Y	2		$ 60.50	
ORDIN.0-107N20005499._	Ordin	Failed to drive on right half of roadway when roadway was of sufficient width	Y	2		$ 60.50	
ORDIN.0-108N20005499._	Ordin	Failed to drive within single lane	Y	2		$ 60.50	
ORDIN.0-109N20005499._	Ordin	Drove vehicle to left side of roadway when view obstructed by hill/curve	Y	2		$ 130.50	
ORDIN.0-110N20005499._	Ordin	Drove vehicle to left side of roadway within 100 ft of bridge/viaduct/tunnel when view obstructed	Y	2		$ 130.50	
ORDIN.0-111N20005499._	Ordin	Drove vehicle to left side of roadway within 100 ft of intersec/railroad grade crossing	Y	2			Serious Traffic Violation
ORDIN.0-112N20005499._	Ordin	Failure to obey railroad restrictions	Y	2			
ORDIN.0-113N20005499._	Ordin	Fail to stop loaded bus or hazardous/inflammatory/corrosive materials truck for railroad grade crossing	Y	2			1st offense -60 day disqualification; 2nd offense w/in 3 years of violation - 120 day disqualification; 3rd or sub offense w/in 3 years of violation - 1 year disqualification
ORDIN.0-114N20005499._	Ordin	Made U-turn/interfered w/traffic where vision less than 300 ft - traffic hazard created	Y	2		$ 60.50	
ORDIN.0-115N20005499._	Ordin	Failed to drive within single lane - cause immediate threat of accident	Y	2			
ORDIN.0-116N20005499._	Ordin	Failed to drive within single lane - resulting in an accident	Y	2			
ORDIN.0-117N20005499._	Ordin	Drove in center lane of 3 lane road when view obstructed/not clear of traffic	Y	2		$ 60.50	
ORDIN.0-118N20005499._	Ordin	Drove in center lane of 3 lane road when view obstructed/not clear of traffic-cause immediate threat of accident	Y	2		$ 60.50	
ORDIN.0-119N20005499._	Ordin	Drove in center lane of 3 lane road when view obstructed/not clear of traffic-resulting in accident	Y	2			
ORDIN.0-120N20005499._	Ordin	Drove wrong direction on street	Y	2		$ 60.50	
ORDIN.0-121N20005499._	Ordin	Drove wrong direction on street - cause immediate threat of accident	Y	2		$ 60.50	

CHARGE CODE	TYPE	DESCRIPTION	ROC?	POINTS	SPECIAL PENALTIES / CIRCUMSTANCES	UFS Fine	CDL
ORDIN.0-122N20005499._	Ordin	Drove wrong direction on street - resulting in an accident	Y	2			
ORDIN.0-123N20005499._	Ordin	Failed to drive on right half of roadway when roadway was sufficient width-cause immediate threat of accident	Y	2		$ 60.50	
ORDIN.0-124N20005499._	Ordin	Failed to drive right half of roadway when roadway was of sufficient width-resulting in an accident	Y	2			
ORDIN.0-125N20035499._	Ordin	Failure to stay on pavement	Y	2		$ 60.50	
ORDIN.0-126N20005499._	Ordin	Illegal/improper turning	Y	2		$ 60.50	
ORDIN.0-127N20005499._	Ordin	Turned right on red signal where prohibited by sign	Y	2		$ 60.50	
ORDIN.0-128N20005499._	Ordin	Fail to signal/gave improper signal when stopping/ turning left or right	Y	2		$ 60.50	
ORDIN.0-129N20005499._	Ordin	Entered/traveled in a lane over which a red signal was shown	Y	2		$ 60.50	
ORDIN.0-130N20045499._	Ordin	Operate electric personal assistive mobility device on roadway when speed limit > 45 mph	Y	2			
ORDIN.0-131N20005499._	Ordin	Made U-turn not at crossover	Y	2		$ 60.50	
ORDIN.0-132N20005499._	Ordin	Made U-turn at intersection controlled by traffic signal/police officer	Y	2		$ 60.50	
ORDIN.0-133N20005499._	Ordin	Made U-turn not at crossover - cause immediate threat of accident	Y	2		$ 60.50	
ORDIN.0-134N20005499._	Ordin	Made U-turn not at crossover - resulting in accident	Y	2			
ORDIN.0-135N20005499._	Ordin	Followed another vehicle too closely	Y	2		$ 60.50	
ORDIN.0-136N20045499._	Ordin	Overtake/pass a motor vehicle within a work or construction zone on a highway divided into two or more lanes	Y	2			
ORDIN.0-137N20005499._	Ordin	Improper lane use	Y	2		$ 60.50	
ORDIN.0-138N20005499._	Ordin	Truck over 18,000 lbs followed another vehicle too closely	Y	2		$ 130.50	
ORDIN.0-139N20005499._	Ordin	Followed another bus/truck closer than 300 ft	Y	2		$ 130.50	
ORDIN.0-140N20005499._	Ordin	Fail to yield after stopping to vehicle that entered intersection/so close to cause hazard	Y	2		$ 60.50	
ORDIN.0-141N20005499._	Ordin	Improper passing of a streetcar	Y	2		$ 80.50	
ORDIN.0-142N20005499._	Ordin	Changed lanes when movement could not be made with safety	Y	2		$ 60.50	
ORDIN.0-143N20005499._	Ordin	Changed lanes when movement could not be made with safety - cause immediate threat of accident	Y	2		$ 60.50	
ORDIN.0-144N20005499._	Ordin	Changed lanes when movement could not be made with safety-resulting in accident	Y	2			
ORDIN.0-145N20005499._	Ordin	Pass vehicle on right/traveled off main portion of road	Y	2		$ 80.50	
ORDIN.0-146N20005499._	Ordin	Pass vehicle/interfered with approaching traffic	Y	2		$ 130.50	
ORDIN.0-147N20005499._	Ordin	Stopped/slowed speed/turned from direct course/moved vehicle right/left when unsafe	Y	2		$ 60.50	
ORDIN.0-148N20005499._	Ordin	Operate/transport implements of husbandry on roadway between sunset and sunrise	N			$ 80.50	

CHARGE CODE	TYPE	DESCRIPTION	ROC?	POINTS	SPECIAL PENALTIES / CIRCUMSTANCES	UFS Fine	CDL
ORDIN.0-149N20005499._	Ordin	Drove on bridge/highway under construction/improvement that was closed by barriers	Y	2			
ORDIN.0-150N20005499._	Ordin	Fail to stop for school bus receiving/discharging school children	Y	2		$ 130.50	
ORDIN.0-151N20005499._	Ordin	Operate truck w/person under 18 yrs of age riding in unenclosed bed of truck	N	2			
ORDIN.0-152N20005499._	Ordin	Drove commercial vehicle with willful/wanton disregard for safety	Y	2			Serious Violation
ORDIN.0-153N20035499._	Ordin	Engage in speed competition	Y	2			
ORDIN.0-154N20005499._	Ordin	Hazardous driving - accident	Y	2			
ORDIN.0-155N20005499._	Ordin	Hazardous driving - other	Y	2			
ORDIN.0-156N20095499._	Ordin	Person 21 years old or less operate moving motor vehicle while sending/reading/texting on mobile electronic device	Y	2		$ 80.50	
ORDIN.0-157N20005499._	Ordin	No headlights when required	Y	2		$ 50.50	
ORDIN.0-158N20035499._	Ordin	Failure to dim lights	Y	2		$ 50.50	
ORDIN.0-159N20005499._	Ordin	Defective equipment	N			$ 50.50	
ORDIN.0-160N20005499._	Ordin	Miscellaneous hazardous vehicular conditions	N	2			
ORDIN.0-161Y200054__._	Ordin	Violate out-of-service order while transporting hazardous materials - 1st offense	Y	2		$ 130.50	180 day disqualification if in CMV
ORDIN.0-162Y200054__._	Ordin	Viol out-of-service order while transporting hazardous materials-2nd/subsequent offense	Y	2			3 year disqualification if in CMV
ORDIN.0-163N20005499._	Ordin	Violate out-of-state order while operateing motor vehicle designd to transport more than 15 passengers including driver-1st offense	Y	2		$ 130.50	180 day disqualification if in CMV
ORDIN.0-164N20005499._	Ordin	Violate out-of-service order while operating motor vehicle designed to transport > 15 passengers including driver - 2nd/subsequent offense	Y	2			3 year disqualification if in CMV
ORDIN.0-166N20005599._	Ordin	Excessive noise	N				
ORDIN.0-180N20004199._	Ordin	Minor in possession	N				
ORDIN.0-181N20094199._	Ordin	Minor visibly intoxicated/BAC 0.2% or more	*	2			
ORDIN.0-182N20034199._	Ordin	Public intoxication	N				
ORDIN.0-183N20034199._	Ordin	Open container	*	2			
ORDIN.0-184N20034199._	Ordin	Possess alcohol	N				
ORDIN.0-185N20034199._	Ordin	Miscellaneous alcohol	N				
ORDIN.0-186Y20034199._	Ordin	Supplying alcohol to a minor	N				
ORDIN.0-187N20005499._	Ordin	More than 1 on motorcycle - prohibited	N				
ORDIN.0-188N20005499._	Ordin	Operate motorized bicycle on highway/street without valid drivers license	Y	2		$ 130.50	
ORDIN.0-189N20005499._	Ordin	Operate motorized bicycle on interstate highway	Y	2		$ 130.50	

CHARGE CODE	TYPE	DESCRIPTION	ROC?	POINTS	SPECIAL PENALTIES / CIRCUMSTANCES	UFS Fine	CDL
ORDIN.0-190N20005499._	Ordin	Fail to wear protective headgear when on motorcycle in motion/wear approved gear	N			$ 25.00	
ORDIN.0-191N20005499._	Ordin	Miscellaneous motorcycle violation	N				
ORDIN.0-192N20005499._	Ordin	Fail to obey traffic control devices	Y	2		$ 60.50	
ORDIN.0-193N20005499._	Ordin	Red light violation	Y	2		$ 60.50	
ORDIN.0-194N20005499._	Ordin	Fail to stop at stop sign at stop line/before crosswalk/point nearest intersection	Y	2		$ 60.50	
ORDIN.0-195N20105499._	Ordin	Fail to stop at stop sign at stop line/before crosswalk/point nearest intersection - county	Y	2		$ 60.50	
ORDIN.0-196N20005499._	Ordin	Fail to turn as directed or required by intersec traffic control device	Y	2		$ 60.50	
ORDIN.0-197N20005499._	Ordin	Fail to make/approach for right turn as close as practicable to right curb/edge of roadway	Y	2			
ORDIN.0-198N20005499._	Ordin	Failed to proceed with caution past flashing yellow signal	N			$ 60.50	
ORDIN.0-199N20005499._	Ordin	Failed to stop for flashing red signal at stop line/crosswalk/point nearest intersection	Y	2		$ 60.50	
ORDIN.0-200N20005499._	Ordin	Failed to stop for steady red signal at crosswalk/stop line/point nearest intersection	Y	2		$ 60.50	
ORDIN.0-201N20005499._	Ordin	Failed to obey official signs temporarily designating lanes	Y	2		$ 60.50	
ORDIN.0-202N20005499._	Ordin	Fail to obey official signs temporarily designating lanes-cause immediate threat of accident	Y	2		$ 60.50	
ORDIN.0-203N20005499._	Ordin	Failed to obey official signs temporarily designating lanes - resulting in an accident	Y	2			
ORDIN.0-204N20005499._	Ordin	Cut in on overtaken vehicle	Y	2		$ 80.50	
ORDIN.0-205N20005499._	Ordin	Failed to yield	Y	2		$ 60.50	
ORDIN.0-206N20005499._	Ordin	Fail to slow to reasonable speed for existing conditions or stop for yield sign	Y	2		$ 60.50	
ORDIN.0-207N20005499._	Ordin	Fail to yield to vehicle that had entered intersection with no traffic control	Y	2		$ 60.50	
ORDIN.0-208N20005499._	Ordin	Fail to yield right of way to pedestrian facing walk signal	Y	2		$ 60.50	
ORDIN.0-209N20005499._	Ordin	Fail to yield to approaching vehicle when entering/crossing highway from alley/driveway	Y	2		$ 60.50	
ORDIN.0-210N20005499._	Ordin	Fail to yield to approaching vehicle when turning left into alley/private road/driveway	Y	2		$ 60.50	
ORDIN.0-211N20005499._	Ordin	Fail to yield right of way to vehicle/pedestrian lawfully in controlled intersection/crosswalk	Y	2		$ 60.50	
ORDIN.0-212N20005499._	Ordin	Fail to yield to vehicle on right that entered intersection at approximately same time	Y	2		$ 60.50	

CHARGE CODE	TYPE	DESCRIPTION	ROC?	POINTS	SPECIAL PENALTIES / CIRCUMSTANCES	UFS Fine	CDL
ORDIN.0-213N20005499._	Ordin	Fail to yield to vehicle approaching from opposite direction when turning left	Y	2		$ 60.50	
ORDIN.0-214N20005499._	Ordin	Fail to yield to blind pedestrian with guide dog or white cane	Y	2			
ORDIN.0-215N20005499._	Ordin	Fail to yield to emergency vehicle sounding audible siren signal/display lighted visible red/blue light	Y	2		$ 80.50	
ORDIN.0-217N20015499._	Ordin	Excessive acceleration	Y	2			
ORDIN.0-218N20005499._	Ordin	Drive/funeral procession	Y	2			
ORDIN.0-219N20005499._	Ordin	Fail to yield right of way to organized funeral procession	Y	2			
ORDIN.0-220Y20005499._	Ordin	Fail to stop or obey reasonable signal direction of highway patrolman/LEO/Firefighter	Y	2			
ORDIN.0-221N20005499._	Ordin	Operate motor vehicle (required to have alternative fuel decal) on the highway w/o valid decal	N				
ORDIN.0-222N20005499._	Ordin	Operate as an inter-state motor fuel user without being licensed as such	N				
ORDIN.0-223N20005499._	Ordin	Activated siren/warning lights on emergency vehicle when not in pursuit/on an emergency mission	Y	2		$ 80.50	
ORDIN.0-224N20005499._	Ordin	Failed to make/approach for left turn within proper lane	Y	2		$ 6,050.00	
ORDIN.0-225N20005499._	Ordin	Failed to stop at railroad tracks	Y	2			1st offense -60 day disqualification; 2nd offense w/in 3 years of violation - 120 day disqualification; 3rd or sub offense w/in 3 years of violation - 1 year disqualification
ORDIN.0-226N20005499._	Ordin	Fail to slow at railroad crossing	Y	2			1st offense -60 day disqualification; 2nd offense w/in 3 years of violation - 120 day disqualification; 3rd or sub offense w/in 3 years of violation - 1 year disqualification

CHARGE CODE	TYPE	DESCRIPTION	ROC?	POINTS	SPECIAL PENALTIES / CIRCUMSTANCES	UFS Fine	CDL
ORDIN.0-227N20005499._	Ordin	Fail to stop before railroad crossing	Y	2			1st offense -60 day disqualification; 2nd offense w/in 3 years of violation - 120 day disqualification; 3rd or sub offense w/in 3 years of violation - 1 year disqualification
ORDIN.0-228N20005499._	Ordin	Operate motor vehicle in a non-designated area in a park	Y	2			
ORDIN.0-229N20005499._	Ordin	Insufficient space to drive through railroad	Y	2			
ORDIN.0-230N20005499._	Ordin	Insufficient undercarriage clearance railroad crossing	Y	2			
ORDIN.0-231N20005499._	Ordin	Drove at such slow speed to impede/block normal and reasonable traffic movement	Y	2		$ 60.50	
ORDIN.0-232N20005499._	Ordin	Miscellaneous moving violation	N				
ORDIN.0-233N20075499._	Ordin	Violation of restrictions/regulations regarding tow trucks	Y	4		$ 130.50	
ORDIN.0-234Y200054__._	Ordin	Leaving the scene of a motor vehicle accident	Y	6			
ORDIN.0-235Y200054__._	Ordin	Leaving the scene of a motor vehicle accident - injury/ property damage - 2nd offense	Y	6			
ORDIN.0-236Y200054__._	Ordin	Leaving the scene of ATV accident - injury	Y	6			
ORDIN.0-237Y200054__._	Ordin	Leaving the scene of ATV accident - death or 2nd offense	Y	6			
ORDIN.0-238N20005499._	Ordin	Operate commercial motor vehicle while driver is subject to an out-of-service order	Y	2			180 days to 5 years disqualification
ORDIN.0-239N20005499._	Ordin	Operate a commercial motor vehicle during continuous 24 hr out-of-service period - 2nd offense	Y	2			180 days to 5 years disqualification
ORDIN.0-240N20005499._	Ordin	Operate commercial motor vehicle during continuous 24 hr out-of-service period-3rd/subsequent offense	Y	2			180 days to 5 years disqualification
ORDIN.0-241N20005499._	Ordin	Miscellaneous non-hazardous driving	N				
ORDIN.0-242N20035499._	Ordin	Obstructing traffic	Y	2		$ 50.50	
ORDIN.0-243N20005499._	Ordin	Equipment violation	N			$ 50.50	
ORDIN.0-244N20005499._	Ordin	Excessive noise from squealing tires - vehicular	Y	2		$ 50.50	
ORDIN.0-245N20005499._	Ordin	Miscellaneous blocking of vehicle	N				
ORDIN.0-246N20035499._	Ordin	Cruising	Y	2		$ 20.50	
ORDIN.0-247N20005499._	Ordin	Miscellaneous non-hazardous vehicle violation	N				
ORDIN.0-248N20005499._	Ordin	Failed to report accident	Y	2			
ORDIN.0-249Y20005499._	Ordin	Failed to stop and report ATV accident to property owner/injured person/police officer/law enforcemnt agency	Y	2			

CHARGE CODE	TYPE	DESCRIPTION	ROC?	POINTS	SPECIAL PENALTIES / CIRCUMSTANCES	UFS Fine	CDL
ORDIN.0-250N20005499._	Ordin	Failed to place vehicle not in motion as near right hand side of road as practicable	N			$ 60.50	
ORDIN.0-251N20005499._	Ordin	Fail to place vehicle not in motion as near right hand side of road as practicable - cause immediate threat of accident	N			$ 60.50	
ORDIN.0-252N20005499._	Ordin	Failed to place vehicle not in motion as near right hand side of road as practicable - resulting in accident	N				
ORDIN.0-254N20005499._	Ordin	Miscellaneous non-moving violation	N				
ORDIN.0-255N20005099._	Ordin	Contempt	N				
ORDIN.0-256N20005099._	Ordin	Fail to appear	N				
ORDIN.0-257N20005099._	Ordin	Fail to obey lawful order	N				
ORDIN.0-258N20005099._	Ordin	Fail to pay fine and costs	N				
ORDIN.0-259Y20005099._	Ordin	Interfere with judicial process	N				
ORDIN.0-261Y20005099._	Ordin	Miscellaneous - obstructing judicial process	N				
ORDIN.0-262N20005499._	Ordin	Angle parking violation	N				
ORDIN.0-263N20005499._	Ordin	Overtime parking	N				
ORDIN.0-264N20005499._	Ordin	Parking - prohibited time	N				
ORDIN.0-265N20005499._	Ordin	Handicapped parking violation	N			$ 100.50	
ORDIN.0-266N20005499._	Ordin	Illegal park - taxi/limosine/bus stand	N				
ORDIN.0-267N20005499._	Ordin	Parked causing obstruction	N				
ORDIN.0-268N20005499._	Ordin	Parked in area not designated for such parking	N				
ORDIN.0-269N20005499._	Ordin	Parked in "no-parking" zone	N			$ 15.50	
ORDIN.0-270N20005499._	Ordin	Illegal parking - residential street/alley	N				
ORDIN.0-271N20005499._	Ordin	Miscellaneous parking violation	N			$ 50.50	
ORDIN.0-279N20005499._	Ordin	Bicycle violation	N			$ 15.50	
ORDIN.0-280N20005499._	Ordin	Bicycle violation - accident	N				
ORDIN.0-281N20005499._	Ordin	Miscellaneous pedestrian violation	N			$ 15.50	
ORDIN.0-282N20005499._	Ordin	Hazardous pedestrian violation	N				
ORDIN.0-288N20005499._	Ordin	Expired plates	N			$ 50.50	
ORDIN.0-289N20005499._	Ordin	Failed to register vehicle	N			$ 50.50	
ORDIN.0-290N20005499._	Ordin	Vehicle license/inspection/title	N			$ 15.50	
ORDIN.0-293N20005499._	Ordin	Driver of motor vehicle failed to wear properly adjusted/ fastened safety belt	N			$ 10.00	
ORDIN.0-294N20105499._	Ordin	Driver fail to secure child 80 pounds or more OR over 4 feet 9 inches in booster seat or safety belt	N			$ 10.00	
ORDIN.0-295N20105499._	Ordin	Driver fail to secure child who is less than 8 years old in a child restraint or booster seat	N			$ 49.50	
ORDIN.0-296N20005499._	Ordin	Person < 18 yrs of age operating/riding in truck failed to wear properly adjusted/fastened seat belt	N			$ 10.00	

CHARGE CODE	TYPE	DESCRIPTION	ROC?	POINTS	SPECIAL PENALTIES / CIRCUMSTANCES	UFS Fine	CDL
ORDIN.0-297N20005499._	Ordin	Seat belt violation - other	N			$ 10.00	
ORDIN.0-301N20035499._	Ordin	Speeding - school zone (1 - 5 mph over)	Y	0			
ORDIN.0-302N20005499._	Ordin	Speeding - school zone (6-10 mph over)	Y	2			
ORDIN.0-303N20005499._	Ordin	Speeding - school zone (11-15 mph over)	Y	2			15 over - Serious traffic violation
ORDIN.0-304N20005499._	Ordin	Speeding - school zone (16-20 mph over)	Y	2			15 over - Serious traffic violation
ORDIN.0-305N20005499._	Ordin	Speeding - school zone (21-25 mph over)	Y	2			15 over - Serious traffic violation
ORDIN.0-306N20005499._	Ordin	Speeding - school zone (26-30 mph over)	Y	2			15 over - Serious traffic violation
ORDIN.0-307N20005499._	Ordin	Speeding - school zone (31-35 mph over)	Y	2			15 over - Serious traffic violation
ORDIN.0-308N20005499._	Ordin	Speeding - school zone (36 mph and over)	Y	2			15 over - Serious traffic violation
ORDIN.0-309N20005499._	Ordin	Speeding - construction zone (1-5 mph over)	Y	2			
ORDIN.0-310N20005499._	Ordin	Speeding - construction zone (6-10 mph over)	Y	2			
ORDIN.0-311N20005499._	Ordin	Speeding - construction zone (11-15 mph over)	Y	2			15 over - Serious traffic violation
ORDIN.0-312N20005499._	Ordin	Speeding - construction zone (16-20 mph over)	Y	2			15 over - Serious traffic violation
ORDIN.0-313N20005499._	Ordin	Speeding - construction zone (21-25 mph over)	Y	2			15 over - Serious traffic violation
ORDIN.0-314N20005499._	Ordin	Speeding - construction zone (26-30 mph over)	Y	2			15 over - Serious traffic violation
ORDIN.0-315N20005499._	Ordin	Speeding - construction zone (31 mph and over)	Y	2			15 over - Serious traffic violation
ORDIN.0-316N20005499._	Ordin	Speeding (1-5 mph over)	Y	0		$ 50.50	
ORDIN.0-317N20005499._	Ordin	Speeding (6-10 mph over)	Y	2		$ 60.50	
ORDIN.0-318N20005499._	Ordin	Speeding (11-15 mph over)	Y	2		$ 70.50	15 over - Serious traffic violation
ORDIN.0-319N20005499._	Ordin	Speeding (16-19 mph over)	Y	2		$ 100.50	15 over - Serious traffic violation
ORDIN.0-320N20005499._	Ordin	Speeding (20-25 mph over)	Y	2		$ 155.50	15 over - Serious traffic violation
ORDIN.0-321N20005499._	Ordin	Speeding (26-30 mph over)	Y	2			15 over - Serious traffic violation
ORDIN.0-322N20005499._	Ordin	Speeding (31-35 mph over)	Y	2			15 over - Serious traffic violation

CHARGE CODE	TYPE	DESCRIPTION	ROC?	POINTS	SPECIAL PENALTIES / CIRCUMSTANCES	UFS Fine	CDL
ORDIN.0-323N20005499._	Ordin	Speeding (36-40 mph over)	Y	2			15 over - Serious traffic violation
ORDIN.0-324N20005499._	Ordin	Speeding (41-45 mph over)	Y	2			15 over - Serious traffic violation
ORDIN.0-325N20005499._	Ordin	Speeding (46-50 mph over)	Y	2			15 over - Serious traffic violation
ORDIN.0-326N20005499._	Ordin	Speeding (51 mph and over)	Y	2			15 over - Serious traffic violation
ORDIN.0-334Y20005299._	Ordin	Discharging/shooting a firearm at or from a motor vehicle - physical injury/death	N				
ORDIN.0-335Y20005299._	Ordin	Discharging/shooting a firearm at or from a motor vehicle	N				
ORDIN.0-337N20004899._	Ordin	Deceiving law enforcement officer	N				
ORDIN.0-338Y20004899._	Ordin	Resisting arrest	N				
ORDIN.0-340N20004899._	Ordin	Misusing "911"	N				
ORDIN.0-341N20034899._	Ordin	Eluding police officer	Y	2			
ORDIN.0-342N20034899._	Ordin	Gave false information to officer	Y	2			
ORDIN.0-343Y20004899._	Ordin	Miscellaneous obstructing police	N				
ORDIN.0-344N20003899._	Ordin	Contributing to delinquency of minor	N				
ORDIN.0-347Y20003899._	Ordin	Endangering welfare of child	N				
ORDIN.0-379N20005499._	Ordin	Increased speed while being passed	Y	2		$ 80.50	
ORDIN.0-380N20005499._	Ordin	Knowingly fail to provide DOR w/in 10 days the notification request of a bus driver who failed to pass drug/alcohol test	N				
ORDIN.0-381Y20002699._	Ordin	Falsifying odometer reading	N				
ORDIN.0-382Y20005699._	Ordin	Odometer fraud - 1st degree	N				
ORDIN.0-383Y20002699._	Ordin	Odometer fraud - 2nd degree	N				
ORDIN.0-384Y20002699._	Ordin	Odometer fraud - 3rd degree	N				
ORDIN.0-385N20002699._	Ordin	Removing/altering posted notice in vehicle indicating true mileage	N				
ORDIN.0-386N20007399._	Ordin	Miscellaneous ordinance violation	N				

DRIVING WHILE INTOXICATED

INTOXICATION-RELATED (DWI) OFFENSES

DRIVING WHILE INTOXICATED:

Class B misdemeanor if:

- §577.010.2(1)
  - **577.010-032Y202054__._ DWI**

Class A misdemeanor if:

- §577.010.2(2)
  - Prior offender,
    - **577.010-030Y202054__._ DWI - Prior**

    Or
  - Person less than 17 years of age (YOA) in vehicle
    - **577.010-031Y202054__._ DWI - Person Less Than 17 YOA In Vehicle**

Class E felony if:

- §577.010.2(3) [formerly "Assault 2nd, DWI" under 565.060.1(4)]
  - Persistent offender, or (with criminal negligence while DWI):
    - **577.010-028Y202054__._ DWI – Persistent**

    Or
  - Acts to cause physical injury to another:
    - **577.010-029Y202054__._ DWI - Physical Injury**

Class D felony if:

- §577.010.2(4)
  - Aggravated offender, or (with criminal negligence while DWI):
    - **577.010-025Y202054__._ DWI - Aggravated**
  - Acts to cause physical injury to law enforcement officer or emergency personnel:
    - **577.010-026Y202054__._ DWI - Physical Injury to L/E or Emergency Personnel**

    Or
  - Acts to cause serious physical injury to another person:
    - **577.010-027Y202054__._ DWI - Serious Physical Injury**

Class C felony if:

- §577.010.2(5) [formerly "Involuntary Manslaughter-DWI" under 565.024.1(2)]

- Chronic offender, or (with criminal negligence while DWI):
    - **577.010-022Y202054__._ DWI - Chronic**
- Acts to cause serious physical injury to a law enforcement officer or emergency personnel:
    - **577.010-023Y202054__._ DWI - Serious Physical Injury to L/E Or Emergency Personnel**

  Or
- Acts to cause the death of another person:
    - **577.010-024Y202054__._ DWI - Death of Another**

Class B felony if:

- §577.010.2(6)
    - Habitual offender, or (with criminal negligence while DWI):
        - **577.010-019Y202054__._ DWI - Habitual**
    - Acts to cause the death of law enforcement (LE) officer or emergency personnel
        - **577.010-020Y202054__._ DWI - Death of LE or Emergency Personnel**
    - Acts to cause the death of two or more persons
        - **577.010-021Y202054__._ DWI - Death Of 2 Or More**
    - Acts to cause the death of a person not a passenger in the vehicle, including the death of an individual that results from the offender's vehicle leaving a highway
        - **577.010-033Y202054__._ DWI - Death of Another Not A Passenger**
    - Acts to cause the death of any person while offender has a blood alcohol content of at least 0.18
        - **577.010-035Y202054__._ DWI – BAC ≥ .18 and Death of a Person**

Class A felony if:

- §577.010.2(7) [formerly "Involuntary Manslaughter-DWI" under §565.024.1(3)]
    - If offender has previously been found guilty of an offense under §577.010.2(6)(a-e) and is found guilty of a subsequent violation of those paragraphs
        - **577.010-034Y202054__._ DWI - 2nd or Subsequent Felony B (577.010.2(6)(a-e))**

Definitions (Section 577.001, RSMo)

"Controlled substance": a drug, substance, or immediate precursor in schedules I to V listed in section 195.017(§577.001(8) RSMo)

"Drive", "driving", "operates" or "operating": physically driving or operating a vehicle or vessel (§577.001(9) RSMo)

"Intoxication-related traffic offense": driving while intoxicated (DWI); driving with an excessive blood alcohol content (BAC); Driving under the influence of alcohol or drugs in violation of state law, county or municipal ordinance, any federal offense, or any military offense; or another offense where the driver was operating a vehicle while intoxicated and another was injured/killed in violation of state law, county or municipal ordinance, any federal offense, or any military offense. (§577.001(15) RSMo)

"Intoxication" or "Intoxicated Condition": when a person is under the influence of alcohol, a controlled substance, or drug, or any combination thereof (577.001(13) RSMo)

Definitions (Section 556.061, RSMo)

"Criminal negligence": failure to be aware of a substantial and unjustifiable risk that circumstances exist or a result will follow, and such failure constitutes a gross deviation from the standard of care which a reasonable person would exercise in the situation (§556.061(16) RSMo)

"Physical Injury": slight impairment of any function of the body or temporary loss of use of any part of the body (§556.061(36) RSMo).

"Serious Physical Injury": physical injury that creates a substantial risk of death or that causes serious disfigurement or protracted loss or impairment of the function of any part of the body (§556.061(44), RSMo).

"Vehicle": a self-propelled mechanical device designed to carry a person or persons, excluding vessels or aircraft (§556.061(47) RSMo)

Classes of Impaired Driving Offenders

Prior Offender: Person found guilty of one intoxication-related traffic offense within five years of the date of current offense (577.001(20) RSMo).

Persistent Offender: Person found guilty of:
Two or more intoxication-related traffic offenses on separate occasions, or
One intoxication-related traffic offenses where another person killed/injured.
(577.001(18) RSMo.)

Aggravated Offender: Person found guilty of:
Three or more intoxication-related traffic offenses on separate occasions; or
Two or more intoxication-related traffic offenses where another person killed/injured in one of those offenses.
(577.001(1) RSMo)

Chronic Offender: Person found guilty of:
Four or more intoxication-related traffic offenses on separate occasions; or
Three or more intoxication-related traffic offenses where another person killed/injured in one of those offenses; or

Two or more intoxication-related traffic offenses where a person killed/injured **in both** offenses.
(577.001(5) RSMo)

Habitual Offender: Person found guilty of:
Five or more intoxication-related traffic offenses; or
Four or more intoxication-related traffic offenses, **at least one** with death or injury to another person; or
Three or more intoxication-related traffic offenses, **at least two** with death or injury to another person.
(577.001(11) RSMo

ABUSE & LOSE

ABUSE & LOSE

COURT-ORDERED LOSS OF LICENSE FOR ALCOHOL OR DRUG-RELATED OFFENSES

SECTIONS 302.400 AND 302.405 RSMO

(REQUIRED TO BE ENTERED ON CONVICTION, PLEA OR FINDING OF GUILTY FOR THE FOLLOWING OFFENSES)

MINORS (under age 21 on date of offense):

Violation of Section 302.400.1 RSMo

1st Offense: 90-day suspension
2nd or subsequent Offense: 1-year revocation

Offenses involving a **minor** *and* **motor vehicle operation**, including:

(1) Alcohol-related traffic offenses—DWI, BAC (state law *and* municipal if represented by an attorney or written waiver).
(2) Possession or use of alcohol while operating a motor vehicle (state law *and* municipal if represented by attorney or waiver).

Offenses involving a **minor** with ***no*** vehicle operation, including:

(1) Possession or use of a controlled substance (Chapter 195 RSMo), (state law *and* muni if represented by attorney or waiver).
(2) Alteration, modification or misrepresentation of a driver license (*Section 311.328 RSMo*).
(3) Possession or use of alcohol for a second time where a determination of guilt was made on the 1st offense; both offenses occurred while person under 18 years of age.

Violation of Section 302.400.2 RSMo

(*Section 311.325* RSMo **state law** "**Minor in Possession**" offenses only; offender age 16 to 20 years of age at time of offense)

1st Offense: 30-day suspension
2nd Offense: 90-day suspension
3rd /subsequent: One-year revocation

Applies to a minor more than 15 years of age and under 21 years of age who:

- Purchases or attempts to purchase any "intoxicating liquor" as defined in *Section 311.020 RSMo*;
- Has in his or her possession any intoxicating liquor;
- Who is in a "visibly intoxicated" condition as defined by *Section 577.001 RSMo*; or
- Has a BAC of more than .02% ("possession by consumption").

NOTE: There is currently no statutory authority to use county or municipal MIP ordinance violations for Abuse & Lose.

Offenders less than 16 years of age:

If an offender is 15 years of age or younger, the court is required to hold the order of suspension or revocation and forward to the Department of Revenue 30 days prior to the offender's 16th birthday. The suspension or revocation will be assessed to commence on the offender's 16th birthday. *Section 302.400, RSMo.*

Expungement: Expungement is only available under Section 311.326 RSMo for a Section 311.325 RSMo **state law** Minor in Possession offense (and resulting Section 302.400 RSMo Abuse and Lose action which was triggered by such conviction), *not* for a *Section 302.400 RSMo* Abuse and Lose action generally. Expungement is only available on or after an offender's **22nd** birthday (i.e., "period of not less than one year after reaching the age of twenty-one"), if otherwise qualified.

ADULTS (age 21 and over):

Section 302.405, RSMo The court is required to order a revocation of the driver's license for offenders twenty-one years of age or older at the time of offense, who is convicted, pleads or is found guilty of any offense involving the possession or use of a controlled substance, as defined in chapter 195, RSMo while operating a motor vehicle. The period of revocation for a first offense is one year.

Reinstatement Requirements (for both Minors and Adults):

♦Pay $45.00
♦File proof of SATOP completion
♦File proof of insurance/SR-22 (for one-year revocation only)

There will be a requirement to complete and pass both the written and skills test after reinstatement of such revocation in order to become a valid driver.

Eligible for Limited Driving Privilege? Yes, if otherwise eligible and underlying offense is not a felony.

1 **Adult Abuse & Lose** 302.405	2 **Alcohol Possession** 302.400.1	3 **DWI-BAC** 302.400.1	4 **Minor in Possession** 302.400.2 **311.325 offenses**	5 **Controlled Substance (Under 21)** 302.400.1	6 **Altered License** 302.400.1 **311.238 offense**	7 **Special Under 18 Provision (Prior Offender)**
21 or Older + Operated a M.V. + Possessed or Used Controlled Substance While Operating	Under 21 Years of Age on Date of Offense + Operated M.V. + Possessed or Used Alcohol While Operating M.V. + Municipal offense is represented by an Attorney or Written Waiver	Under 21Years of Age on Date of Offense + Committed an Alcohol Related (Driving) Offense + Represented by Attorney or Written Waiver of Attorney	Age 16 to 20 yrs. on Date of Offense + Purchase or Attempt to Purchase Alcohol or Possess Alcohol or Visibly Intoxicated under 577.001 or Detectable BAC of .02% or Higher	Under 21 Years of Age on Date of Offense + Operated a M. V. + Possessed or Used Controlled Substance While Operating M.V. + Represented by Attorney or Written Waiver of Attorney	Under 21 + Altered, Modified or Misrepresented License or Permit	Under 18 + Possessed or Used Alcohol (no vehicle operation required) + Represented by Attorney or Written Waiver + Offense is Defendant's 2nd Alcohol Possession or Use Offense
Court Action Required 1) Surrender of License or Permit to the Court 2) Entry of Revocation Order 3) Forward Copy of Order & License or Permit to DOR	**Court Action Required (16 to 20 yrs. of age)*** 1) Surrender of License or Permit to the Court 2) Entry of Appropriate Suspension or Revocation Order 3) Forward Copy of Order & License or Permit to DOR	**Court Action Required (16 to 20 yrs. of age)*** 1) Surrender of License or Permit to the Court 2) Entry of Appropriate Suspension or Revocation Order 3) Forward Copy of Order & License or Permit to DOR	**Court Action Required (16 to 20 yrs. of age)*** 1) Entry of Appropriate Suspension or Revocation Order 2) Forward Copy of Order to DOR & License or Permit (if taken by the Court)	**Court Action Required (16 or Over)*** 1) Entry of Appropriate Suspension or Revocation Order 2) Forward Copy of Order to DOR & License or Permit (if taken by the Court)	**Court Action Required (16 to 20 yrs. of age)*** 1) Entry of Appropriate Suspension or Revocation Order 2) Forward Copy of Order to DOR & License or Permit (if taken by the Court)	**Court Action Required*** 1) Entry of Appropriate Suspension or Revocation Order 2) Forward Copy of Order to DOR & License or Permit (if taken by the Court)

*If offender is under age 16, the Court shall: (1) Enter immediate Order of suspension or revocation of driving privilege; and (2) Forward a copy of Order and permit (if taken by the Court) to DOR 30 days before offender's 16th birthday.

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IGNITION INTERLOCK DEVICE

Ignition Interlock
Device

IGNITION INTERLOCK DEVICE (IID)

Restricted Driving Privileges (RDP)

Sections 302.010, 302.304, 302.525, RSMo

Point Suspension (resulting from alcohol or drug offense)
Section 302.304, RSMo

Administrative Alcohol Suspension (1st in five years)
Section 302.525, RSMo

♦ Option for a driver to obtain a 90 day RDP with no hard walk period if IID is installed.

♦ Offender wanting a 90 day RDP should fill out Form 5489 Request for Immediate 90 Day Restricted Driving Privilege with Ignition Interlock Device and return to the Department of Revenue in addition to having an IID installed

♦ If a violation occurs during the 90 day RDP, the RDP and IID requirement are extended an additional 30 days.

♦ Violations are defined by MoDOT Administrative Rule (*7 CSR 60-2.010(1)(A)37*)

Limited Driving Privileges (LDP)

Section 302.309, RSMo

♦ Offender may be eligible for a LDP on an Administrative Alcohol Revocation, an intoxication related Point Revocation or a Chemical Revocation with no hard walk period if an IID is installed if other statutory requirements are met;

♦ IID is required for the duration of the LDP

Five- and Ten-Year Denial Limited Privileges

Section 302.309.3(8)(a) and (b) RSMo)

♦ Camera and real time reporting features on IID required for five- and ten-year LDPs; GPS optional by court order.

A court shall grant the LDP if:

1. Applicant is otherwise eligible
2. Has filed proof of IID installation
3. Has no alcohol-related enforcement contacts since last conviction that triggered denial
4. Applicant has presented evidence that their habits and conduct show they no longer pose a threat to the public safety.

License Reinstatement

Sections 302.060, 302.304, 302.525, and 302.574, RSMo

IID required with prior alcohol-related enforcement contact (as defined in *§ 302.525.3 RSMo)* **for:**

Point Revocation, § *302.304.7 RSMo*

Administrative Alcohol Suspension or Revocation
§ *302.525.2(2), RSMo*

Chemical Refusal Revocation, § *302.574.10, RSMo*

Five-Year Denial § *302.060.1(10), RSMo*

Ten-Year Denial § *302.060.1(9), RSMo*

♦ For **five- and ten- year reinstatement,** camera and real time reporting features required; GPS is optional

♦ IID installation required for a minimum of six months **following date of license reinstatement** (not the date of eligibility or the date of IID install)

♦ If IID violations occur during the last 90 day period, the driver must maintain IID installation until he or she completes a consecutive 90 day period without violation.

♦ Violations are defined by MoDOT Administrative Rule (*7 CSR 60-2.010(1)(A)37*)

Court-Ordered Ignition Interlock

Section 302.440, RSMo

- May order on first intoxication-related offense as defined in *Section 577.001(15) RSMo*, upon a finding of guilt (includes SIS disposition);
- Court shall order on second or subsequent offense;
- Court may order fine be reduced by cost of device. *Section 302.442, RSMo.*

See Appendix section for the following form:

CR105 – Order to Install Ignition Interlock Device

Proof of IID Installation

A licensee is required to have proof of installation of a certified IID on file with the Department of Revenue. In most cases, the IID manufacturer will provide electronic notice to the Department of any install, deinstall and fail to maintain.

Ignition Interlock Device Violations

What the statutory provisions provide:

- Confirmed BAC over setpoint of .025%
- Evidence of device tampering or circumvention

As defined by MoDOT Rule at *7 CSR 60-2.010(1)(A)37* as:

A. Two 15-minute temporary lockouts within a 30-day period;
B. Any 3 refusals to provide a retest sample within a 30-day period;
C. Any 3 retest breath samples over .025% within a 30-day period;
D. Any attempts to circumvent or tamper with a device;
E. When a device is not serviced on its service date.

♦ Violations are logged on the monthly monitoring report and may prompt driver to return to the service center to have their device serviced prior to 30 days. If the device is not serviced, the ignition will be disabled and the vehicle will not start.

♦ A violation that occurs while a user's vehicle is running will not shut the vehicle off. The horn will honk and the lights may flash if a violation is recorded while a vehicle is running.

♦ An IID with camera is now required to be equipped with real time reporting. Any violations are required to be viewable on the IID manufacturer's website within 10 minutes of the violation occurring. All other data is required to be available within 12 hours or as cellular service permits.

Ignition Interlock Device Offenses

Section 577.599, RSMo (violating IID restrictions)
Section 577.600, RSMo (rent or lend vehicle without IID)
Section 577.605, RSMo (failure to notify of IID requirement)
Section 577.612, RSMo (tampering or circumventing IID)

All are a Class A misdemeanor

License Revocation for Violating Section 577.599, RSMo

First offense: One year license revocation
Second or subsequent: Five-year license denial

NOT eligible for limited driving privileges

Section 302.462, RSMo

Employment Exemption for IID Installation

Under *Section 302.441, RSMo*, a court may order an IID exemption for employment-related purposes

♦ Such exemption shall not be granted to a person who is self-employed or who wholly or partially owns or controls an entity that owns an employer-owned vehicle

♦ Shall not drive, operate, or be in physical control of an employer-owned vehicle used for transporting children under eighteen years of age or vulnerable persons, or an employer-owned vehicle for personal use

This exemption is NOT reflected on a Missouri driver record.

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LIMITED DRIVING PRIVILEGES

LIMITED DRIVING PRIVILEGES (LDP)

SECTION 302.309 RSMO

LDP PROVISIONS - OVERVIEW: (§302.309 RSMo)

♦ Most ALL initial suspension or 'hard walk' periods prior to LDP eligibility have been eliminated;

♦ Five-year "look back" period for felony convictions for offenses committed while operating a motor vehicle;

♦ Limited privilege eligibility for first Administrative Alcohol and intoxication-related offense triggered Point suspension eliminated; but may be eligible for a Restricted Driving Privilege through the Department of Revenue.

Five- and Ten-Year Denial LDP: (§302.309.3(8) (a & b) RSMo)

♦ Camera feature required for Ignition Interlock Device (IID); GPS feature now optional, on court order;

♦ Applicants must be "otherwise eligible" for a LDP (i.e., no felony, etc.). If not eligible, may apply to an approved DWI Court.

A court "*shall*" grant the LDP if:

1. Applicant is otherwise eligible
2. Has filed proof of ignition interlock installation
3. Has no "alcohol-related enforcement contacts" as defined in *§302.525.3, RSMo* since last conviction that triggered denial
4. Court makes finding that the applicant's habits and conduct show they no longer pose a threat to the public safety
5. Has filed proof of SR-22 with Department of Revenue

LDP filing requirements: (§302.309.3(3) RSMo)

1. Must be filed in county of residence, employment, or principal place of business;
2. Most applications may be filed in Circuit Court or with Director of Revenue;
3. Five- and Ten-year denial applicants must file in Circuit Court;
4. Department of Revenue is a necessary party and must be named/served;
5. Must include SR-22 filing and a copy of driving record with application to court.

Scope of Operation for a LDP

Limited privileges may be granted for the following purposes: (§*302.309.3(2) RSMo*)

a) business, occupation or employment,
b) seeking medical treatment,

c) attending educational institution,
d) attending alcohol or drug treatment,
e) seeking the required services of an Ignition Interlock provider, or
f) other circumstance found to create an undue hardship on operator

Ignition Interlock Device (IID) installation is mandatory if second or subsequent intoxication-related offense (§*302.440 RSMo*).

LDP applicants are ineligible for the following reasons:

1. Too young (under 18 in commerce)
2. Too young (under 16)
3. Habitual alcoholic or drug user
4. Incapacitated person (adjudicated)
5. Anyone who has failed driver exam
6. Unsatisfied judgment (*Chapter 303*)
7. Failure to disclose identification after an accident
8. Out of state convictions (compact violations) or out of state violations
9. Conviction of any felony involving motor vehicle within a five-year period of application

Ignition Interlock Required for LDP for:

- One-Year Point revocation LDP (where revocation is the result of a second or subsequent "intoxication-related" conviction)
- Chemical Refusal LDP (first or subsequent revocation); the ONLY circumstance where a first offender is *required* to have IID.
- Administrative Alcohol Revocation LDP
- Five-Year and Ten-Year denial LDP

DWI Courts:

A DWI court established under and which conforms to the requirements of section 478.007 may grant an LDP to a driver who would otherwise be ineligible under the provisions of *Section 302.309.3(6) RSMo*. The driver must be a graduate of the DWI court or a participant who has attained the 'continuing care' level of the program, according to the local DWI court plan. This is merely another form of court-ordered LDP, and the Director of Revenue remains a necessary party to the action. See Supreme Court Rule 26 for additional information and requirements contained in the Appendix section. Consult Local Rules, also.

See Appendix for the following forms:
CV210 – Order Granting Limited Driving Privileges
CV215 – Order to Terminate Limited Driving Privileges

EXPUNGEMENTS

EXPUNGEMENTS

SUPREME COURT RULE 155, SECTIONS 302.545, 311.326, 610.130-610.140 RSMO

Supreme Court Rule 155 – Expungements

155.01 COMMENCEMENT OF EXPUNGEMENT ACTION

An action to expunge records for a petitioner charged or found guilty of an offense, violation, or infraction is commenced by filing a petition in the circuit court of the county in which the petitioner was charged or found guilty. An action limited to the expungement of an arrest record is commenced by filing a petition in the circuit court of the county in which the petitioner was arrested.

155.02 FILING FEES AND COSTS

The filing fee shall be paid at the time of filing. In all actions for expungement, the court shall assess the costs as part of the judgment. The court shall waive the fees and costs if the petitioner is found to be indigent.

155.03 SERVICE

In all actions to expunge records, service shall be made by methods for obtaining service of process in circuit courts or by mailing a copy of both the summons and the petition to the defendant at the defendant's last known address by certified mail, return receipt requested, delivery restricted to the addressee.

155.04 NOTICE AND HEARING

(a) In an action to expunge criminal records, the clerk of the court is not required to give further statutory notice of the filing of the petition to the office of the prosecuting attorney, circuit attorney, or municipal prosecuting attorney that prosecuted the offenses, violations, or infractions listed in the petitions if the office of the prosecuting attorney, circuit attorney, or municipal prosecuting attorney is a defendant named in the expungement petition and has been properly served.

(b) In all actions to expunge records, the court shall hold a hearing pursuant to the applicable statute. The court shall send notice of the hearing to each official, agency, or other entity named in the petition.

155.05 JUDGMENT DIRECTING EXPUNGEMENT

If the court finds that the petitioner is entitled to expungement of any record that is the subject of the petition, it shall enter a judgment directing expungement. The court shall send a certified copy of the judgment to each official, agency, or other entity named in the petition.

Expungement of Criminal Offenses and Infractions: (§610.140 RSMo)

Expungement of certain criminal offense and infractions are permitted under the provisions of §610.140. These provisions permit the expungement of one felony, two misdemeanors, and infractions without limit for qualified individuals. They operate to 'close' records to general disclosure, but permit use by certain entities for certain purposes, even following expungement, namely use by law enforcement, criminal enforcement agencies and prosecuting attorneys for enhancement.

Expungement of Alcohol-Related Offenses: (§610.130 RSMo)

Section 610.130 (formerly 577.054) permits an individual to expunge a first misdemeanor alcohol-related traffic offense from his or her driver record under certain circumstances. The person must not be a commercial drivers license holder and have no subsequent or pending "alcohol-related enforcement contacts," as defined by §302.525, within a ten-year period following the plea or finding of guilty, or conviction. The petition must be filed in the court of conviction or plea and the Director of Revenue is required to be named and served. Under S.S. v. Mitchell, 289 S.W.3d 797 (Mo. App. W.D. 2009), a related administrative alcohol suspension may also be expunged. The Department removes all record of the offense from the driver record and history. This is one-time relief only.

Zero Tolerance Expungement – Minors and Administrative Alcohol: (§302.545 RSMo)

A person under the age of 21, who has had a first administrative alcohol suspension, commonly referred to as a "zero tolerance" suspension, assessed to their driver record may be eligible to expunge the suspension under §302.545. The expungement does not require a court order and is automatic either two years from the effective date of the suspension or when the person attains the age of 21, whichever occurs first (if otherwise eligible). The person must not be a commercial drivers license (CDL) holder or have committed the offense while operating a commercial motor vehicle, and must not have committed any subsequent alcohol-related traffic offenses during the two-year period or prior to age 21. If the prerequisites are met, the Department of Revenue removes all record of the suspension from the driver record.

Minor in Possession: (§311.326, RSMo)

A Minor in Possession suspension or revocation under §311.325 is assessed to the driver record of a license holder age 16 to age 20 as a result of an order entered by a state court upon a plea or finding of guilty for specified state law alcohol-related offenses. These offenses can be traffic or non-traffic offenses, as enumerated in 311.325 to include the possession of or purchase or attempted purchase of intoxicating liquor, having a blood alcohol concentration (BAC) of .02% or more, or being found to be "visibly

intoxicated" as defined by §577.001. This is assessed under §302.400.6 as a 30-day license suspension for a first offense; a 90-day suspension for a second, and one-year revocation for a third or subsequent. OSCA Form CR 264 is used by the court. A non-commercial driver license holder who has had no subsequent alcohol-related enforcement contacts as defined in §302.525 may apply to the court of sentencing for expungement of the offense on or after obtaining the age of 22 under §311.326. This relief is available one time only, and the Department of Revenue removes all record of the offense from the driver history.

Expungement Process

- Expungement applicable to one OR MORE offenses, violations or infractions in Missouri
- Applicable to municipal ordinance violations as well
- May include all related offenses, violations or infractions charged in the same indictment or information but will only count as an expungement of the highest level violation, relevant for future expungement eligibility under subsection 12
- **Expungement NOT applicable pursuant to section 610.140, RSMo for the following:**
    - Any class A felony offense
    - Any dangerous felony under section 556.061 RSMo
    - Offenses requiring registration as sex offender
    - Any felony offense where death is an element of the offense
    - Any felony offense of assault
    - Any misdemeanor or felony offense of domestic assault
    - Any felony offense of kidnapping
    - Chapter 566 sexual offenses
    - Sections 105.454, 105.478, 115.631, 130.028, 188.030, 188.080, 191.677, 194.425, 217.360, 217.385, 334.245, 375.991, 389.653, 455.085, 455.538, 557.035, 565.084, 565.085, 565.086, 565.120, 565.130, 565.156, 565.200, 565.214, 566.093, 566.111, 566.115, 568.020, 568.030, 568.032, 568.045, 568.060, 568.065, 568.080, 568.090, 568.175, 569.030, 569.035, 569.040, 569.050, 569.055, 569.060, 569.065, 569.067, 569.072, 569.160, 570.025, 570.090, 570.180, 570.223, 570.224, 570.310, 571.020, 571.060, 571.063, 571.070, 571.072, 571.150, 574.070, 574.105, 574.115, 574.120, 574.130, 575.040, 575.095, 575.153, 575.155, 575.157, 575.159, 575.195, 575.200, 575.210, 575.220, 575.230, 575.240, 575.350, 575.353, 577.078, 577.703, 577.706, 578.008, 578.305, 578.310, or 632.520
    - Section 577.054 and 610.130 offenses eligible for expungement
    - Intoxication-related traffic or boating offenses as defined in section 577.001, RSMo
    - Operating an aircraft while intoxicated or with excessive BAC
    - Any ordinance violation that is the substantial equivalent of an offense not eligible for expungement
    - Any state, county or municipal offense by a CMV operator regarding operation of a MV

    - Any offense of section 571.030, except any offense under subdivision (1) of subsection 1 of section 571.030 where the person was convicted or found guilty prior to January 1, 2017.
- Expungements are limited under section 610.140.12 and shall not exceed:
    - One felony offense; two misdemeanors offense or ordinance violations with authorized terms of imprisonment.
    - There is no limit to expungement for infractions.
    - These expunged offenses may still be used subsequently as a prior offense by the PA and law enforcement.
- Expungement must be filed in the circuit court, cannot be filed in the municipal division (See *Bright v. Mollenkamp, 482 S.W.3d, 467 (Mo.App. E.D. 2016)*)
- Petitioner must name all potential record holders of the offense as defendants, if not a named defendant the expungement does not apply. A case number of each offense seeking expungement and its court must be listed in the petition for expungement.
- Court must notify the PA that prosecuted the offenses, PA may object (in writing) to the petition for expungement within 30 days of service. Court must hold a hearing within 60 days after any written objection or within a reasonable time if no objection is filed.
- If a petition for expungement is not granted, the petitioner must wait one year before filing another petition.
- Criteria for granting expungement (subsection 5):
    - Various time limits apply based on the type of offense seeking to be expunged and the date the petitioner completed any authorized disposition that was imposed for the offense:
        - At least 7 Years for a felony
        - At least 3 Years for a misdemeanor, municipal offense or infraction;
    - Petitioner has not been found guilty of any subsequent misdemeanor or felony;
    - Petitioner has satisfied all payments for fines or restitution;
    - Petitioner has no pending charges;
    - Petitioner's habits and conduct show they are no longer a public safety threat;
    - The expungement is consistent with public welfare and the interests of justice;

<u>Other Special Expungement Provisions:</u>

- Section 488.650, RSMo – Unless waived by the court, a surcharge of $250 is required on all petitions filed under 610.140;
- Section 568.040, RSMo – Criminal nonsupport; A person may petition one time for expungement of a records of criminal offense after successful completion of probation upon meeting certain criteria;
- Section 575.120, RSMo – False impersonation; Any person who is the victim of a false impersonation and whose identity has been falsely reported in arrest or conviction records may move for the expungement and correction of the records;
- Section 610.131, RSMo – A person under the age of 18, who has pleaded guilty or been convicted of prostitution under Section 567.020, RSMo, may petition the court for expungement;
- Arrest records under sections 610.122-123 and 610.140 RSMo

- Administrative alcohol actions (refusal to blow, etc.) under section 610.130 RSMo, *S.S. v. Mitchell*, 289 S.W.3d 797 (Mo.App. E.D.)
- Section 610.145, RSMo – Stolen or mistaken identity; A person may petition for expungement if that person was named in a charge for an infraction or criminal offense as a result of another person using their identifying information or as a result of mistaken identity and the charges were dismissed or such person was found not guilty;
- Section 610.130, RSMo - DWI convictions; DWI, must wait 10 years from conviction
- Section 302.545, RSMo - Zero tolerance (under 0.02 BAC for under 21)
- Section 570.120, RSMO - Passing a bad check; Section 570.125, RSMo - Fraudulently stopping payment of an instrument; or Section 570.130 - Fraudulent use of a credit device or debit device

Confidentiality, Case.net and Expungements

- Current expunged criminal cases are set at a case security level 9 and not accessible by the public and most court users.
- The corresponding civil case seeking the expungement is set at a case security 3.
- Expunged cases under section 610.140 RSMo and the corresponding civil cases, become "closed" cases and are **NOT** set at the higher case security level for expunged cases as law enforcement and prosecuting attorneys are still allowed access to those cases.

No Equitable Power for Expungements

- The Courts no longer possess common law equitable power to grant expungements. *Kuenzle v. MSHP*, 865 S.W.2d 667 (Mo. Banc 1993) and *In re Dyer*, 163 S.W.3d 915 (Mo. Banc 2005).
- All expungements must be authorized by statute.

Forms Applicable to Expungements include the following:

CR 145 & CR 143: Petition & Judgment and Order for Expungement of Arrest Records
CR 300 & CR 310: Petition & Judgment and Order for Correction of Arrest/Court Records-Identity Theft
CR 301 & CR 311: Petition & Judgment and Order for Expungement – Mistaken Identity
CR 360 & CR 370: Petition & Judgment and Order for Expungement – Section 610.140, RSMo

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FINGERPRINTING

FINGERPRINTING/OCN REQUIREMENTS

SECTION 43.500-506 RSMO

- **Section 43.500(8) RSMo:** "State offense cycle number", a unique number, supplied by or approved by the Missouri state highway patrol, on the state criminal fingerprint card. The offense cycle number, OCN, is used to link the identity of a person, through unique biometric identification, to one or many offenses for which the person is arrested or charged. The OCN will be used to track an offense incident from the date of arrest to the final disposition when the offender exits from the criminal justice system.
- **Section 43.503.6 RSMo:** The clerk of the courts of each county or city not within a county or municipal court clerk shall furnish the central repository, on standard forms supplied by the highway patrol or in a manner approved by the highway patrol, with a record of all charges filed, including all those added subsequent to the filing of a criminal court case, amended charges, and all final dispositions of cases for which the central repository has a record of an arrest or a record of fingerprints reported pursuant to §§ 43.500-43.506. Such information shall include, for each charge:
    (1) All judgments of not guilty, acquittals on the ground of mental disease or defect excluding responsibility, judgments or pleas of guilty including the sentence, if any, or probation, if any, pronounced by the court, nolle pros, discharges, releases and dismissals in the trial court;
    (2) Court orders filed with the clerk of the courts which reverse a reported conviction or vacate or modify a sentence;
    (3) Judgments terminating or revoking a sentence to probation, supervision or conditional release and any resentencing after such revocation; and
    (4) The offense cycle number of the offense, and the originating agency identifier number of the sentencing court, using such numbers as assigned by the highway patrol.
    - **If the court does not report the OCN**, the disposition cannot be tied back to the correct arrest record in the criminal history system at the Central Repository.
- **Section 43.506.1 RSMo:** Those offenses considered reportable for the purposes of §§43.500-43.543 include:
    - all felonies;
    - class A misdemeanors;
    - all violations for driving under the influence of drugs or alcohol (DWI);
    - any offense that can be enhanced to a class A misdemeanor or higher for subsequent violations;
    - comparable ordinance violations;
    - all cases arising under chapter 566.

The following types of offenses shall **NOT** be considered reportable for the purposes of sections 57.403, 43.500 to 43.543, and 595.200 to 595.218:

- nonspecific charges of suspicion or investigation,
- general traffic violations;
- all misdemeanor violations of the state wildlife code.

- State and some municipal court case dispositions are reported through the Justice Information System (JIS). The clerk should address each charge the prosecutor has filed and record the charges as disposed in court. In order to report to the Central Repository, the OCN number must be included with the case, this also ensures the OCN is included in the Judgement forms when defendants are sentenced to Department of Corrections (DOC). In addition, the OCN must be included on commitment papers when a defendant is committed to the Department of Mental Health (DMH).
- **If a case is received that requires fingerprints but does not have an OCN, the court will need to order fingerprints in order to generate an OCN**. A copy of the standard order for fingerprinting, Form CR102, is included in this section. The order for fingerprinting is utilized by the court when fingerprints were not taken as a result of the issuance of a summons, as a result of fingerprints having never been taken upon initial arrest, or if original arrest prints were rejected. An order for fingerprinting should only be issued when the court is certain that the defendant's fingerprints have not been previously taken.
- **Section 43.503.8 RSMo**, allows for fingerprinting and assigning an OCN in those instances where a person is appearing for sentencing without previously having been fingerprinted for that case.
  - "Information and fingerprints, photograph and if available, any other unique biometric identification collected, forwarded to the central repository, normally obtained from a person at the time of the arrest, may be obtained at any time the subject is in the criminal justice system or committed to the department of mental health… If at the time of any court appearance, the defendant has not been fingerprinted and photographed for an offense in which a fingerprint and photograph is required by statute to be collected, maintained, or disseminated by the central repository, **the court shall order a law enforcement agency or court marshal to fingerprint and photograph immediately the defendant**."
- JIS will now print on the order for fingerprinting the original arresting agency, if on file. The court may send the order to that department if different from the sheriff's department that normally received the order in the past.
- **Courts can keep track of what cases do not have OCN's via management reports so that cases needing an order for fingerprinting are easily identified.** Courts using JIS can select to print the OCN on the court calendar using the calendar print options. If the OCN has not been received by the court and recorded in JIS, the calendar will print "OCN not on file", and thus will need the Order completed.
- One easy way to determine if fingerprints are required is in the charge code number itself. If the charge code has a **Y** in the number then fingerprints are required. If the charge code has an **N** in the number then fingerprints are not required.

  Examples: 302.321-003**Y**202054.0 (DWR/DWS – 1st Offense), **Y = fingerprint required**

  304.010-003**N**199954.0 (Exceeded Posted Speed Limit 6-10 MPH), **N = no fingerprint required**

INFRACTIONS

INFRACTIONS AND OTHER "FINE ONLY OFFENSES"

SECTION 556.021 RSMO

- Infraction is not a crime, no jail time imposed
- Possible penalties include fine, court costs or forfeiture
- Filed by the Prosecuting Attorney or City Attorney
- No jury trial
- Process pursuant to Supreme Court Rule 19.08 for misdemeanor
- Burden of proof is "beyond reasonable doubt"
- Warrant may issue if party fails to appear
- Civil enforcement of infractions is an option. Under Section 556.021.3, RSMo. if a person fails to appear in court either solely for an infraction or for an infraction which is committed in the same course of conduct as a criminal offense for which the person is charged, the court may issue a default judgment for court costs and fines for the infraction, which shall be enforced in the same manner as other default judgments, including enforcement under Sections 488.5028 and 488.5030, RSMO, unless the court determines that good cause or excusable neglect exists for the person's failure to appear for the infraction. The notice of default judgment, and the amount of fines and costs imposed, shall be sent to the defendant by first class mail. The default judgment may be set aside for good cause within six months of the date notice of entry of default judgment is mailed.
- "Fine only" (no jail time under section 558.011, RSMo) first offenses include:
    - §302.020 RSMo
        - Operate vehicle on highway without a valid license – first offense is a D misdemeanor;
        - Operate motorcycle when driver's license not validated for such operation – first offense is a D misdemeanor;
        - Permit unvalidated licensee to operate motorcycle – first offense is a D misdemeanor;
        - Operate vehicle with an instruction permit or license issued to another – first offense is a D misdemeanor;
    - §302.321 RSMo
        - Driving while revoked/suspended – first offense is a D misdemeanor;
    - §303.025 RSMo
        - Owner operate motor vehicle without maintaining financial responsibility – first offense is a D misdemeanor;
        - Operate motor vehicle owned by another knowing owner of vehicle has not maintained financial responsibility – first offense is a D misdemeanor;
    - §311.325 RSMo
        - Purchase/attempt to purchase or possession of liquor by minor – first offense is a D misdemeanor;
        - Minor visibly intoxicated/blood alcohol content more than 0.2% - first offense is a D misdemeanor;

The second violation of these offenses are then treated as enhanced misdemeanors with the possibility of jail time.

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DRIVER IMPROVEMENT PROGRAM

DRIVER IMPROVEMENT PROGRAM

SECTIONS 302.302 AND 476.385 RSMO

- A court may elect to approve attendance at a Driver Improvement Program (DIP) or motorcycle-rider training course. A court does not have to authorize the approval of DIP attendance. It is optional and up to the associate circuit judge or judges of each county.
- If a defendant is charged with a moving violation in a county that has approved a DIP, and they plead guilty and pay the fine and costs in full, the defendant will automatically be approved to attend an authorized DIP course to avoid having points assessed on their Missouri driver's license. Payment of the fine and costs is considered consent by the defendant to attendance at such programs.
- DIP is not available for a violation committed in a commercial motor vehicle or for any driver who has a commercial driver's license (CDL) from Missouri or any other state.
- Attendance at DIP is not mandatory. If a defendant chooses to attend DIP, they must complete an approved DIP course within 60 days of their guilty plea and must have the DIP program send proof of completion to the Missouri Department of Revenue (DOR), Driver License Bureau, P.O. Box 200, Jefferson City, MO 65105.
- No points will be assessed to the defendant's Missouri driver's records if they meet these requirements.
- If the violator does not complete the course within 60 days, the points will be assessed.
- For violations committed while operating a motorcycle, the defendant must attend an approved motorcycle-rider training course following the rules above to avoid point assessment.
- No defendant may attend the Driver Improvement Program to avoid point assessment more than one time in any 36 month period.
- Course completion certificates should be sent directly to the Missouri Department of Revenue, if a defendant receives one directly they should forward it to DOR.
- A DIP may be completed online, however, it must still be an approved program.
- For more information about approved programs proceed to www.ucmo.edu/safetycenter/dip/

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MUNICIPAL INFORMATION

MUNICIPAL INFORMATION

SECTIONS 43.503-.506, 476.385, 479.350, 557.500 RSMO, RULE 37

ADVISEMENT OF RIGHTS TO DEFENDANTS AT COURT OPENING: Rule 37.04

Defendant should be advised of the following prior to pleading:

- The ordinance violation charged
- Defendant's right to counsel
- If indigent, if there is the likelihood of jail sentence and the right to be appointed a lawyer
- The right to remain silent, and that any statement may be used against the defendant
- The right to trial
- The right to jury trial in a state court, unless the offense id in Springfield.
- The right to confront witnesses
- The right to subpoena witnesses
- The range of punishment
- "Padilla Language" 'If you are not a US citizen then know that a plea of guilty or a finding of guilt after a trial may result in deportation, denial of naturalization and inadmissibility from the United States.'

IGNITION INTERLOCK:

- Ignition interlock may be ordered upon first intoxication-related traffic offense
- After the second or subsequent intoxication-related traffic offense a person cannot operate any motor vehicle not equipped with an Ignition Interlock Device (IID), for no less than 6 months from date of reinstatement of a person's driver's license.
- No person shall knowingly rent, loan or sell a motor vehicle to someone who is on an IID unless that vehicle is equipped with a functioning IID
- A person must inform anyone selling, renting or loaning them a motor vehicle of their restricted driving privileges. (Failure to do so is a Class A misdemeanor.)

  Intoxication-related traffic offenses are:
  - Driving while intoxicated
  - Driving with blood alcohol content in excess of .08%
  - Driving under the influence
  - Where judge was an attorney and defendant was represented or waived right to attorney in writing. (Sec. 577.023)

DRIVER IMPROVEMENT PROGRAM (§§302.302 & 476.385 RSMo)

Judge may allow Defendant to avoid points for moving violation of:

1) Moving violation
2) Defendant has paid fines and court costs in full
3) Charge does NOT involve a commercial motor vehicle or CDL holder
4) Defendant completes Driver Improvement within 60 days and provides proof of completion to DOR

- If motorcycle rider, the rider must attend an approved motorcycle-rider training course.

ABUSE AND LOSE (§577.500 RSMo)

A court shall enter an order suspending or revoking the driving privilege of any person under 21 years of age if he is found guilty of pleads guilty to:

- An alcohol-related traffic offense, where the defendant was represented by or waived the right to an attorney in writing. (1st offense is 90 days, 2nd and subsequent is 1 year).
- Possession or use of alcohol while operating a motor vehicle, (1st offense is 30 days, 2nd is 90 days, 3rd and subsequent is 1 year).
- Possession or use of a controlled substance represented by or waived the right to an attorney in writing, represented by or waived the right to an attorney in writing. (need not be driving or even in a vehicle).
- Alteration, modification, or misrepresentation of a license to operate a motor vehicle.
- Possession of alcohol for a 2nd time,

The court shall require surrender of any license or permit to drive against persons against whom order of suspension was ordered under Sections 1 or 2. The court shall forward order of suspension or revocation to DOR for any person who pleads guilty or is found guilty under Section 3.

A court of competent jurisdiction shall enter an order revoking the driving privileges of any person who is 21 years of age or older at the time he is found guilty or pleads guilty to any state, county or municipal law involving the possession or use of a controlled substance under chapter 195, while operating a motor vehicle. 577.505 RSMo

FINGERPRINTING (§§ 43.503.8 & 43.506 RSMo)

Judges are required to order a defendant to be fingerprinted when charged with certain offenses. Check the most recent charge code manual to determine if fingerprinting is required in any given case.

WARRANTS (issue within 24 hours of arrest or release)

- Must make findings that:

1) PC that an ordinance violation has been committed and
2) Defendant will not appear or poses a danger to victim, community, or other person.

- If FTA at court date, check to make sure summons has been sent before issuing warrant.

"MINOR TRAFFIC VIOLATIONS" (MTV) (§479.350 RSMo) are municipal or county violations:

- Not involving an accident or injury
- Not involving the operation of a commercial vehicle
- For which the department to revenue is authorized to assess no more than four points to a person's driving record upon conviction
- Not involving a speeding violation that exceeds the speed limit by more than 19mph
- Not involving a speeding violation that occurs within a construction or school zone
- Shall include amended charges for any minor traffic violation

Limitations on Fines and Fees for MTV and Municipal Ordinance Violations (MOVs):

Fines:

- MTV – fines and court costs combined shall not exceed $225

Court Costs:

- Prohibited in cases where the defendant is found to be indigent based on standards set forth by presiding judge.
- Prohibited if the case is dismissed.
- Retain by city, county, town or village shall exclude costs disbursed to the state and certified costs.

Do not include fines added to annual real estate tax bill or special tax bill.

COLLECTION OF FINES AND COURT COSTS, ABILITY TO PAY, AND ALTERNATIVES TO FINES AND COURT COSTS

Inquiry Into Ability to Pay:

Before fines or court costs may be assessed, defendants MUST have the opportunity to present evidence of their **inability to pay.** Standards to determine whether a defendant is indigent are set by the presiding judge of the circuit court, which shall reflect the model rules and requirements set by the Missouri Supreme Court. See Appendix for a judge's bench card regarding Lawful Enforcement of Legal Financial Obligations for additional guidance. A judge should make the following inquiries:

- Are you currently working? If so, what is your net monthly income?

- If you are not currently working, when did you last work and what have you done to try to find work?
- Do you have any medical or other conditions that limit your ability to work?
- Do you receive any government benefits?
- How much does your household pay per month for basic living costs (ex. rent, utilities, food, health care, transportation, clothing, fines to other courts, child support, other necessary expenses)?
- Do you own property or assets that you could use to pay your fine?

Confinement is Explicitly Allowed:

For minor traffic violations:

- Involving alcohol or controlled substances.
- Endangering the health or welfare of others
- Where the defendant eluded or gave false information to a law enforcement officer
- In which the defendant failed to pay and their nonpayment violates the terms of their probation

For other violations, but shall not exceed three months

Confinement is Not Allowed:

- To coerce payment of fines and costs, unless found to be in contempt. (Rule 37.65) (Right to Counsel)
- In general, as a sentence for minor traffic violations
- For failure to pay fines for minor traffic violations
- Beyond 24 hours without a warrant
- After 48 hours without having the opportunity to be heard by a judge for defendants who are arrested on a warrant for minor traffic violations
- After 72 hours without having the opportunity to be heard by a judge for defendants who are arrested on a warrant for other violations

    - EVERY person arrested and held in custody for the alleged commission of an ordinance violation, or upon suspicion thereof, has a **right to consult with counsel.** Indigent defendants have the **right to request the appointment of counsel** if there is a possibility of a jail sentence. Judges have a duty to advise defendants of their right to counsel.

UNIFORM
FINE SCHEDULE

UNIFORM FINE SCHEDULE

RULES 37.49, 37.495 AND 38.10

Effective May 1, 2019, the Fine Collection Center (FCC) stopped accepting new citations for processing. All citations issued May 1, 2019, and after were filed by the prosecutor in the local violations bureau. The FCC processed payments for citations issued prior to May 1, 2019, until June 25, 2019. Citations to which there had not been a response were transferred to the appropriate prosecutor to file with the local court.

The **Uniform Fine Schedule Committee** was established in November 2018 to promulgate a uniform fine schedule as required by Rule 37.495 and Rule 38.09. Please find the committee's approved fine schedules for traffic, watercraft, conservation and municipal violations on the Court Information Center under the Resources tab, then Uniform Fine Schedule or on the Judiciary's website at https://www.courts.mo.gov/page.jsp?id=310 . Requests for changes to the fine schedule may be addressed to committee at UFSC@courts.mo.gov. Offenses that are on the uniform fine schedule may be eligible to resolve by plead and pay online. More information can be found at: https://www.courts.mo.gov/page.jsp?id=1886.

If a local court establishes a violations bureau, then there shall be an order establishing such bureau.
• Rule 37.49 states that "[a]ny judge having original jurisdiction of any animal control violation, housing violation, or traffic violation may establish by court order a local violations bureau, which shall be subject to the supervision of the circuit court."
• Rule 38.10 states that "[e]ach judicial circuit shall establish by court order a circuit violations bureau in each county within the circuit."

Additionally, Rule 37.49(c) also states that "(c) The violations within the authority of the bureau shall be designated by the order. The order shall include all violations contained in the uniform fine schedule established by Rule 37.495, except those that are not offenses within the respective municipality or county. No other violation shall be included in the order. Such designated violations may be amended from time to time but shall in no event include the following:

(1) Any individual violation submitted by the prosecutor for disposition through a court appearance;
(2) Any individual violation for which the court orders a summons to be issued;
(3) Any violation resulting in personal injury or property damage;
(4) Any violation for operating a motor vehicle while intoxicated or under the influence of intoxicants or drugs;
(5) Any violation for operating a vehicle with a counterfeited, altered, suspended, or revoked license;
(6) Any violation for fleeing or attempting to elude an officer; and
(7) Any other violation excluded by law.

Included in the Appendix are two draft sample administrative orders, which may be used to establish the violations bureau.

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LEGAL FINANCIAL OBLIGATIONS

LAWFUL ENFORCEMENT OF LEGAL FINANCIAL OBLIGATIONS

Statutory Limitations on the Collection of Fines and Costs

- When an offender sentenced to pay a fine defaults in the payment of the fine or in any installment, the fine or installment shall be collected by any means authorized for the collection of money judgments, other than a lien against real estate, or may be waived at the discretion of the sentencing judge. 558.006, RSMo (Effective August 28, 2019).

- When a fine is assessed by a judge, it shall be within his or her discretion to provide for the payment of the fine on an installment basis under such terms and conditions as he or she may deem appropriate. 543.270, RSMo (August 28, 2019).

- In no event shall the recovery of costs incurred by a municipality or county for the detention, imprisonment, or holding of any person be the subject of any condition of probation, nor shall the failure to pay such costs be the sole basis for the issuance of a warrant. 543.270, RSMo (Effective August 28, 2019).

Imposition and Payment of Fines, Fees, and Costs, and Contempt Proceedings

Courts may not incarcerate a defendant/respondent, or revoke probation, for nonpayment of a court ordered legal financial obligation unless the court holds a hearing and makes one of the following findings:

1. The failure to pay was not due to an inability to pay, but was willful or due to failure to make bona fide efforts to pay; or

2. The failure to pay was not the fault of the defendant/respondent and alternatives to imprisonment are not adequate in a particular situation to meet the State's interest in punishment and deterrence.

If a defendant/respondent fails to pay a court-ordered legal financial obligation but the court, after opportunity for a hearing, finds that the failure to pay was not due to the fault of the defendant/respondent, but rather due to lack of financial resources, the court should consider alternative measures of punishment rather than incarceration. *Bearden v. Georgia*, 461 U.S. 660, 667-669 (1983); *State ex rel. Fleming v. Mo. Bd. of Prob. & Parole*, 515 S.W.3d 224 (Mo. banc 2017). Punishment and deterrence can often be served fully by alternative means to incarceration, including an extension of time to pay, reduction of the amount owed, or community service. *Bearden*, 461 U.S. at 671.

Court-ordered legal financial obligations (LFOs) include all discretionary and mandatory fines, costs, fees, state assessments, and/or restitution in civil and criminal cases.

1. Adequate Notice of the Hearing to Determine Ability to Pay[1]

Notice should include the following information:

a. Hearing date and time;
b. Total amount claimed due;
c. That the court will evaluate the person's ability to pay at the hearing;
d. That the person should bring any documentation or information the court should consider in determining ability to pay;
e. That incarceration may result only if alternate measures are not adequate to meet the State's interests in punishment and deterrence or the court finds that the person had the ability to pay and willfully refused;
f. Right to counsel*; and
g. That a person unable to pay can request payment alternatives, including, but not limited to, community service and/or a reduction of the amount owed.

2. Meaningful Opportunity to Explain at the Hearing[2]

a. Whether the amount charged as due is incorrect; and
b. The reason(s) for any nonpayment (e.g., inability to pay).

3. Factors the Court Should Consider to Determine Willfulness[3]

a. Income, including whether income is at or below 125% of the Federal Poverty Guidelines (FPG)[4]
b. Receipt of needs-based, means-tested public assistance, including, but not limited to, Temporary Assistance for Needy Families (TANF), Supplemental Security Income (SSI), Social Security Disability Insurance (SSDI), or veterans' disability benefits (Such benefits are not subject to attachment, garnishment, execution, levy, or other legal process);
c. Financial resources, assets, financial obligations, and dependents;
d. Whether the person is homeless, incarcerated, or resides in a mental health facility;
e. Basic living expenses, including, but not limited to, food, rent/mortgage, utilities, medical expenses, transportation, and child support;
f. The person's efforts to acquire additional resources, including any permanent or temporary limitations to secure paid work due to disability, mental or physical health, homelessness, incarceration, lack of transportation, or driving privileges;
g. Other LFOs owed to the court or other courts;
h. Whether LFO payment would result in manifest hardship to the person or his/her dependents; and
i. Any other special circumstances that may bear on the person's ability to pay.

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[1] Rule 37.65(b)(c); Rule 36.01(b); Section 558.006, RSMo.
[2] Section 479.360.1(4); Rule 37.04, Appendix "A," Minimum Operating Standard #2.
[3] See *Bearden v. Georgia*, 461 U.S. 660 (1983); *State ex rel. Fleming v. Mo. Bd. Of Prob. & Parole*, 515 S.W.3d 224 (Mo. banc 2017).
[4] U.S. Dep't of Health & Human Servs., Poverty Guidelines (https://aspe.hhs.gov/poverty-guidelines).

4. Findings by the Court

The court should find, on the record and/or by docket entry, that the person was provided prior adequate notice of:

a. Hearing date/time;
b. Failure to pay an LFO is at issue;
c. The right to counsel;*
d. The defense of inability to pay;
e. The opportunity to bring any documents or other evidence of inability to pay; and
f. The opportunity to request an alternative sanction to payment or incarceration.

After the ability to pay hearing, the court should also find on the record that the person was given a meaningful opportunity to explain the failure to pay.

If the Court determines that incarceration must be imposed, the Court should make findings about:

1. The financial resources relied upon to conclude that nonpayment was willful;[5] or

2. If the defendant/respondent was not at fault for nonpayment, why alternate measures are not adequate, in the particular case, to meet the State's interest in punishment and deterrence.[6]

Alternative Sanctions to Imprisonment That Courts Should Consider When There is an Inability to Pay[7]

a. Reduction of the amount due;
b. Extension of time to pay;
c. A reasonable payment plan or modification of an existing payment plan;
d. Credit for community service (Caution: Hours ordered should be proportionate to the violation and take into consideration any disabilities, driving restrictions, transportation limitations, and caregiving and employment responsibilities of the individual);
e. Credit for completion of a relevant, court approved program (e.g., education, job skills, mental health or drug treatment); or
f. Waiver or suspension of the amount due.

*Case law establishes that the U.S. Constitution affords indigent persons a right to court-appointed counsel in most post-conviction proceedings in which the individual faces actual incarceration for nonpayment of a legal financial obligation, or a suspended sentence of incarceration that would be carried out in the event of future nonpayment, even if the original sanction was only for fines and fees. *See Best Practices for Determining the Right to Counsel in Legal Financial Obligation Cases*.

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[5] See, for example, State v. Jackson, 610 S.W.2d 420 (Mo. App. 1980).
[6] *Bearden*, 461 U.S. at 672, *Fleming*, 515 S.W.3d at 232.
[7] Section 479.360.1(8)(9), RSMo; Rule 37.04, Appendix "A," Minimum Operating Standard #2, #4; Section 558.006, RSMo.

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FAILURE TO APPEAR

In-State Failure to Appear

SECTION 302.341 RSMO, RULE 37.65

Under Section 302.341, RSMo, all municipalities, as applicable, and all state courts may forward license suspension information to the Department of Revenue for persons who have committed moving violations and fail to appear or pay the fines or court costs assessed.

NOTE: There were substantial amendments to these provisions under Senate Bill 5, effective August 28, 2015. Municipal and county ordinance offenses defined as a "minor traffic violation" under section 479.350(3) are now not reportable under the instate Failure to Appear provisions.

A court may now only report Failure to Appear suspensions to the Department of Revenue for municipal and county ordinance traffic violations where:
--An accident or injury is involved;
--A commercial motor vehicle (CMV) is involved;
--Five (5) or more points are assessed for the offense;
--Speeding violations 20 mph or greater over the posted limit are charged;
--Traffic violations occurring within a construction or school zone are charged.

This includes amended charges as well.

Where applicable, the failure to appear provisions may be used even if the offender originally appeared and entered an installment plan to pay the fine and costs or the court has stayed the execution on fine and costs until a future date. *See Rule 37.65(b-c).* If the offender defaults on payment, the court may begin the failure to appear process.

Criteria: Section 302.341, RSMo provides that the offender must be a Missouri resident and must be charged with a moving violation. Therefore, if the original charge is amended to a non-moving violation prior to the offender failing to appear or to pay the court costs and fines, the charge no longer qualifies for the failure to appear sanctions.

Notice: The court is charged with providing notice to the defendant by ordinary mail at the last address shown on the court records that the court will order the Director of Revenue to suspend the defendants driving privileges if the charges are not disposed of and fully paid within thirty days from the date of mailing. If the defendant fails to timely dispose of the charges after notice, the court shall then notify the Director of the failure and of the pending charges against the defendant. The suspension remains in effect until the court requests the withdrawal of the suspension *or* the offender disposes of the charges with the court and/or pays the applicable court

costs and fines and receives documentation from the court that the matter is resolved. Unlike other license suspension or revocation actions, the notice from the Director that the license is being suspended will **postdate** the suspension or revocation action.

Reinstatement: The offender may take the court documentation and a $20 reinstatement fee to have the failure to appear suspension reinstated at any local license office. No proof of insurance is required to reinstate a failure to appear suspension. If the offender shows compliance, the Director is now required to remove the action from the driver's record.

Forms the court may use to provide notice to the citizen and to the Department of Revenue are available from the Driver's License Bureau. Any court requiring information or forms should contact: Missouri Department of Revenue, Driver's License Bureau, P.O. Box 200, Jefferson City, Missouri 65105 or by referring to its website at www.dor.mo.gov.

COMMERCIAL DRIVER LICENSE

COMMERCIAL DRIVERS LICENSE

SECTIONS 302.700 – 302.780 RSMO

Commercial driver license (CDL)*: A driver license issued by this state to an individual which authorizes the individual to operate a commercial motor vehicle (Class A, B or C).*

One License Only. A person issued a Missouri CDL will be issued one license, which will indicate what class of commercial motor vehicle the person may operate (class A, B or C). The "one license" concept is based the premise that every driver has only one "state of record" for license issuance and for purposes of documenting their driving history. A CDL applicant must meet additional requirements over those required for a "base" driving privilege for class A, B or C commercial privileges. *Section 302.720 RSMo*.

A driver may have a "base driving privilege" (i.e., for operation of Class F or E vehicles) without a CDL, **but** a driver **can not** have a CDL without also having a base driving privilege. A CDL holder might lose his/her CDL privileges and retain the base driving privilege, but if suspended, revoked or denied for their base privilege, the CDL privileges are lost with it. *Section 302.705.1 RSMo*.

Disqualification: Defined as a suspension, revocation, cancellation or withdraw of a commercial driver license. The period of disqualification varies according to the type of offense and number of priors (see chart). *Section 302.700.2(14) RSMo*.

Medical Certification: Medical certification for CDL holders now required to be indicated on Missouri driver record.

"**Conviction" for CDL disqualification is defined by Section 302.700.2(12) RSMo to include**:

- A plea of guilty, or nolo contendre
- A determination that a person has violated or failed to comply with the law in a court of original jurisdiction
- A determination that a person has violated or failed to comply with the law in an administrative proceeding
- An unvacated forfeiture of bail or collateral deposited to secure a person's appearance in court
- The payment of a fine or court costs
- The violation of a condition of release without bail regardless of whether the penalty is rebated, suspended or prorated
- An offense for failure to appear or pay.

NOTE: ***This varies from the definition of conviction for point assessment under Section 302.302 RSMo, and includes SIS dispositions, administrative outcomes (Administrative Alcohol and Chemical Refusal), bond forfeitures and failure to appear.***

Courts are required to forward records of conviction within seven days of the date of conviction. *Section 302.225, RSMo*.

CDL Disqualifications & Serious Traffic Violations

"Serious traffic violation" is defined in *Section 302.700.2(24) RSMo* for CDL holders to include reckless driving, speeding 15 mph or more above the speed limit, improper or erratic lane changes, following too closely, and any moving violation relating to a fatal crash. Serious traffic violations also include driving a CMV without obtaining a CDL, driving a CMV without CDL in possession, and driving a CMV without proper class of CDL or endorsement/restrictions. **Note:** For a CDL holder, offenses committed in a CMV **or a non-CMV** (i.e., private vehicle), are used for CDL disqualification purposes, **if** the conviction for the offense committed in a private vehicle results in a suspension or revocation of the driver's base driving privilege. *Section 302.700.2(42) RSMo*.

A **disqualification or out-of-service order** is a loss of only a driver's commercial driving privileges (class A, B or C) for a specified period of time. During a disqualification or period of out-of-service (if the driver is not otherwise suspended or revoked), he or she can continue to drive private (noncommercial) motor vehicles without obtaining limited driving privileges. When a CDL is cancelled, the driver must wait until the disqualification period expires and then take the written and driving tests and meet all other requirements of *Sections 302.700 to 302.780 RSMo* in order to get another CDL. CDL status is determined as of the date of the offense. Downgrading to a non-commercial license class thereafter has no impact on the disqualification.

60 Day Disqualification

- Two ***serious traffic*** violation convictions within three years if person is a CDL holder or if person is operating a CMV. **Note: The three-year period will be based on violation date rather than conviction date.**

120 Day Disqualification

- Three or more ***serious traffic*** violation convictions within three years if person is a CDL holder or if person is operating a CMV**.** **Note**: **The three-year period will be based on violation date rather than conviction date.**
- Second railroad-highway grade crossing violation while person is operating a CMV.

180 Day Disqualification

- First traffic conviction for violating an out-of-service order while person is operating a CMV.
- First traffic conviction for violating an out-of-service order while operating a CMV and transporting hazardous materials or transporting 15 passengers or more.

1 Year Disqualification

- Driving any motor vehicle (commercial or noncommercial) while under the influence of alcohol or a controlled substance.
- Driving any motor vehicle (commercial or noncommercial), resulting in any "alcohol-related enforcement contact" as defined in Section 302.525.3 RSMo (including administrative license actions).
  - Driving a CMV with a BAC of 0.04% or higher.
  - Refusing blood and/or breath test if the person is a CDL holder or if person is operating a CMV.
  - Leaving the scene of an accident.
  - Using ***any*** motor vehicle (CMV or non-CMV) to commit a felony.
  - Driving a CMV with a revoked, suspended, canceled, or disqualified privilege.
  - Causing a fatality through the negligent or criminal operation of a CMV (includes the crimes of motor vehicle manslaughter, homicide by motor vehicle, and negligent homicide).
  - Making a false statement on any application for a CDL.
  - Second traffic conviction within ten years for driving a CMV while out-of- service.
  - Third or subsequent railroad-highway grade crossing violation within three years while operating a CMV.

3 Year Disqualification

- First conviction for any one of the top seven violations for one- year disqualification if transporting hazardous materials.
- Third or subsequent conviction within ten years for violating out-of- service orders while operating a CMV.
- Second or subsequent conviction within ten years for violating an out- of-service order while operating a CMV and transporting hazardous materials or transporting 15 passengers or more.

Lifetime Disqualification

(A 10-year minimum disqualification period in Missouri under Section 302.755.3, RSMo, as interpreted by 12 CSR 10-24.444)

- Second conviction for any one of the top seven violations listed under one-year disqualification.

Permanent Disqualification

- First conviction for using a motor vehicle in the manufacture or illegal distribution of drugs.

Imminent Hazard Disqualification (not to exceed one year)

- Determination by the Federal Motor Carrier Safety Administration that a person's driving constitutes an imminent hazard.

NO Driver Improvement Programs (DIP) for CDL holders

Driver improvement programs (DIP) will not be allowed by any person for any offenses committed in a CMV or by any CDL holder whether the offenses are committed in a noncommercial or commercial motor vehicle. *Section 302.302.5 RSMo*.

NO Limited Driving Privileges for CMV operation

Limited Driving Privileges (LDP) will not be issued to operate a CMV during any period of suspension, revocation, cancellation, or disqualification. *Section 302.309.3(7) RSMo*.

CDL with School Bus Endorsement

Persons who apply for a commercial or noncommercial driver license and want to operate a school bus owned or under contract with a public or private school will be required to complete the required written and skills testing and obtain a school bus (S) endorsement on his or her driver license. Prior to obtaining the S endorsement, the driver must be at least 21 years of age and obtain approval by meeting current medical, fingerprint-based criminal records check, and child abuse and neglect registry checks. Pending the results of the criminal check, the driver may be eligible for a temporary license with the S endorsement. CDL holders are required to have a passenger (P) endorsement on the face of their CDL to be eligible for the S endorsement. *Sections 302.177 and 302.272 RSMo*.

Drivers with a valid CDL from another state who want to operate a school bus owned or under contract with a public or private school must also have the P and S endorsements issued pursuant to federal regulations. *Section 302.273 RSMo*.

Masking of Traffic Violations for CDL Drivers Not Allowed

Courts are not permitted to defer imposition of sentence, suspend imposition of sentence, or allow a CDL holder or person required to have a CDL to enter into a diversion program that would prevent a conviction regarding traffic control laws, in any type of vehicle, from appearing on the person's driving record. *Section 302.345 RSMo; 49 CFR 384.226*.

What is considered "masking" under the federal Motor Carrier Safety Improvement Act (MCSIA)?

Generally, for masking or diversion to occur, there first must be a judgment of guilt. For example, masking may occur when the court holds the paperwork on a conviction for some reason and does not allow the State to take appropriate action. Diversion may occur when the court allows a driver – after an adjudication of guilt – to perform alternate services to get the conviction erased.

“Major” Offenses for CDL Disqualification

Table 1 to §383.51

If a driver operates a motor vehicle and is convicted of:	For a first conviction or refusal to be tested while operating a CMV, a person required to have a CDL and a CDL holder must be disqualified from operating a CMV for…	For a first conviction or refusal to be tested while operating a non-CMV, a CDL holder must be disqualified from operating a CMV for…	For a first conviction or refusal to be tested while operating a CMV transporting hazardous materials required to be placarded under the Hazardous Materials Regulations (49 CFR part 172, subpart F), a person required to have a CDL and CDL holder must be disqualified from operating a CMV for…	For a second conviction or refusal to be tested in a separate incident of any combination of offenses in this Table while operating a CMV, a person required to have a CDL and a CDL holder must be disqualified from operating a CMV for…	For a second conviction or refusal to be tested in a separate incident of any combination of offenses in this Table while operating a non-CMV, a CDL holder must be disqualified from operating a CMV for…
(1) Being under the influence of alcohol as prescribed by State law.	1 year	1 year	3 years	Life	Life
(2) Being under the influence of a controlled substance.	1 year	1 year	3 years	Life	Life
(3) Having an alcohol concentration of 0.04 or greater while operating a CMV	1 year	Not applicable	3 years	Life	Not applicable
(4) Refusing to take an alcohol test as required by a State or jurisdiction under its implied consent laws or regulations as defined in §383.72 of this part.	1 year	1 year	3 years	Life	Life
(5) Leaving the scene of an accident.	1 year	1 year	3 years	Life	Life
(6) Using the vehicle to commit a felony other than a felony described in paragraph (b)(9) of this table.	1 year	1 year	3 years	Life	Life
(7) Driving a CMV when, as a result of prior violations committed operating a CMV, the driver’s CDL is revoked, suspended, or canceled, or the driver is disqualified from operating a CMV.	1 year	Not applicable	3 years	Life	Not applicable

(8) Causing a fatality through the negligent operation of a CMV, including but not limited to the crimes of motor vehicle manslaughter, homicide by motor vehicle and negligent homicide.	1 year	Not applicable	3 years	Life	Not applicable
(9) Using the vehicle in the commission of a felony involving manufacturing, distributing, or dispensing a controlled substance.	Life-not eligible for 10-year reinstatement.	Life-not eligible for 10-year reinstatement.	Life-not eligible for 10-year reinstatement.	Life-not eligible for 10-year reinstatement.	Life-not eligible for 10-year reinstatement.

"Serious" Offenses for CDL Disqualification

Table 2 to §383.51

If a driver operates a motor vehicle and is convicted of:	For a second conviction of any combination of offenses in this Table in a separate incident within a 3-year period while operating a CMV, a person required to have a CDL and a CDL holder must be disqualified from operating a CMV for…	For a second conviction of any combination of offenses in this Table in a separate incident within a 3-year period while operating a non-CMV, a CDL holder must be disqualified from operating a CMV, if the conviction results in the revocation, cancellation, or suspension of the CDL holder's license or non-CMV driving privileges, for…	For a third or subsequent conviction of any combination of offenses in this Table in a separate incident within a 3-year period while operating a CMV, a person required to have a CDL and a CDL holder must be disqualified from operating a CMV for…	For a third or subsequent conviction of any combination of offenses in this Table in a separate incident within a 3-year period while operating a non-CMV, a CDL holder must be disqualified from operating a CMV, if the conviction results in the revocation, cancellation, or suspension of the CDL holder's license or non-CMV driving privileges, for…
(1) Speeding excessively, involving any speed of 24.1 kmph (15 mph) or more above the posted speed limit.	60 days	60 days	120 days	120 days
(2) Driving recklessly, as defined by State or local law or regulation, including but not limited to, offenses of driving a motor vehicle in willful or wanton disregard for the safety of persons or property.	60 days	60 days	120 days	120 days
(3) Making improper or erratic traffic lane changes.	60 days	60 days	120 days	120 days

(4) Following the vehicle ahead too closely.	60 days	60 days	120 days	120 days
(5) Violating State or local law relating to motor vehicle traffic control (other than a parking violation) arising in connection with a fatal accident.	60 days	60 days	120 days	120 days
(6) Driving a CMV without obtaining a CDL.	60 days	Not applicable	120 days	Not applicable
(7) Driving a CMV without a CDL in the driver's possession.[1]	60 days	Not applicable	120 days	Not applicable
(8) Driving a CMV without the proper class of CDL and/or endorsements for the specific vehicle group being operated or for the passengers or type of cargo being transported.	60 days	Not applicable	120 days	Not applicable

[1] *Any individual who provides proof to the enforcement authority that issued the citation, by the date the individual must appear in court or pay any fine for such a violation, that the individual held a valid CDL on the date the citation was issued, shall not be guilty of this offense.*

Railroad Grade Crossing Disqualification (CMV Operation Only)

Table 3 to §383.51

If a driver is convicted of operating a CMV in violation of a Federal, State or local law because…	For a first conviction a person required to have a CDL and a CDL holder must be disqualified from operating a CMV for…	For a second conviction of any combination of offenses in this Table in a separate incident within a 3-year period a person required to have a CDL and a CDL holder must be disqualified from operating a CMV for…	For a third or subsequent conviction of any combination of offenses in this Table in a separate incident within a 3-year period a person required to have a CDL and a CDL holder must be disqualified from operating a CMV for…
(1) The driver is not required to always stop, but fails to slow down and check that tracks are clear of an approaching train.	No less than 60 days	No less than 120 days	No less than 1 year.
(2) The driver is not required to always stop, but fails to stop before reaching the crossing, if the tracks are not clear.	No less than 60 days	No less than 120 days	No less than 1 year.
(3) The driver is always required to stop, but fails to stop before driving onto the crossing.	No less than 60 days	No less than 120 days	No less than 1 year.
(4) The driver fails to have sufficient space to drive completely through the crossing without stopping.	No less than 60 days	No less than 120 days	No less than 1 year.
(5) The driver fails to obey a traffic control device or the directions of an enforcement official at the crossing.	No less than 60 days	No less than 120 days	No less than 1 year.
(6) The driver fails to negotiate a crossing because of insufficient undercarriage clearance.	No less than 60 days	No less than 120 days	No less than 1 year.

Out-of-Service Disqualifications

Table 4 to § 383.51

If a driver operates a CMV and is convicted of…	For a first conviction while operating a CMV, a person required to have a CDL and a CDL holder must be disqualified from operating a CMV for…	For a second conviction in a separate incident within a 10-year period while operating a CMV, a person required to have a CDL and a CDL holder must be disqualified from operating a CMV for…	For a third or subsequent conviction in a separate incident within a 10-year period while operating a CMV, a person required to have a CDL and a CDL holder must be disqualified from operating a CMV for…
(1) Violating a driver or vehicle out-of-service order while transporting nonhazardous materials.	No less than 180 days or more than 1 year.	No less than 2 years or more than 5 years.	No less than 3 years or more than 5 years.
(2) Violating a driver or vehicle out-of-service order while transporting hazardous materials required to be placarded under part 172, subpart F of this title, or while operating a vehicle designed to transport 16 or more passengers, including the driver.	No less than 180 days or more than 2 years.	No less than 3 years or more than 5 years.	No less than 3 years or more than 5 years.

[52 FR 20587, June 1, 1987, as amended at 53 FR 39050, Oct. 4, 1988; 54 FR 40788, Oct. 3, 1989; 55 FR 6727, Feb. 26, 1990; 57 FR 53295, Nov. 9, 1992; 59 FR 26028, May 18, 1994; 62 FR 37151, July 11, 1997; 64 FR 48111, Sept 2, 1999; [67 FR 49756, Jul. 31, 2002; 68 FR 4397, Jan. 29, 2003; 72 FR 26788, July 5, 2007; 75 FR 59134, Sept. 27, 2010; 76 FR 26879, May 9, 2011; 76 FR 75486, Dec. 2, 2011; 77 FR 59825, Oct. 1, 2012]

Commercial Driver's License
(CDL)
§ 302.700 - .780, RSMo

Disqualification

a. Offense committed in CMV **or** alcohol offense by CDL holder in private vehicle.

b. "Conviction" includes SIS, conviction, fine non-payment, administrative alcohol and 302.574 refusal, FTA, and condition of release violations

c. 'Serious Traffic Violation' as defined under 302.700.2:
1. 15 mph+ over limit
2. C & I or reckless driving.
3. conviction from fatal crash
4. drive CMV w/o valid CDL or proper class
5. Follow to close
6. Lane violation
7. Cell phone use or texting while driving a CMV

60 day disqualification for 2 in 3 years; 120 days for 3 in 3 yr.

d. 1 yr disqualification for:
1. .04 > BAC in CMV
2. DWI or BAC
3. Administrative Alcohol or 302.574 Refusal
4. Drug test refusal
5. LSA-CMV
6. Use of CMV in felony

e. Ten year disqualification
Second offense under **"g"**

f. Lifetime disqualification:
1. Felony manufacture or distribute controlled substance. or w/ intent to.

Reinstatement

a. 60/120 disqualification:
1. Serve disqual. period.
2. No fee, SR-22
3. Comply w/ any other suspension or revocation requirements.

b. 1-3 year disqualification:.
1. Complete CDL written exam

c. 10 year disqualification
1. Apply for reinstate
2. No alc/dr. conv.
3. Al/dr program compl.
4. No vio op CMV
5. Complete exam

Refusal

a. 302.745 Implied Consent:
1. Arrest not required.
2. P.C. for <u>any</u> alcohol

b. Warning
1. out of service
2. disqualify for 1 yr

c. Petition for Review:
1. County of arrest
2. Reasonable grounds to believe driving a CMV with <u>any</u> alcohol or controlled substance.
3. Refusal

d. CMV drivers subject to §302.574 refusal

Limited Privilege

a. **<u>NO LDP FOR CDL</u>**
(Class A, B or C)

b. May operated Class E and F vehicles only with LDP

c. If operate CMV during LDP period, subject to a 2 year disqualification of CDL

ADMINISTRATIVE ALCOHOL
§302.500 – .540, RSMo

P.C. to believe driving with BAC of .08 +
(or .02 + minor)

Arrest

Probable Cause driving with .08 or above BAC (.02 + for minors)

-can be developed after stop
-must show traffic violation for minors

BAC of .08 or above (at time of test) (.02+ for minors)

Appeal

a. Within 15 days
b. Stays suspension
c. DOR hearing either at regional location or by phone
d. DOR records used (302.312)

Trial De Novo

a. 15 days after date final DOR decision mailed
b. In county of arrest
c. No Stay, but may seek restricted privilege
d. Bench trial
e. Civil proceeding
f. Burden of Proof on DOR
g. Discovery – limited to information in DOR file
h. Exclusionary Rule and 5th Amendment do not apply (civil proceeding).
i. Separate from criminal DWI citation

Suspension or Revocation

a. 30 day'hard walk' (if no prior w/in 5 years)
b. 60 day restricted privilege (RDP) after 30 days
c. Effective 01-01-17, may request RDP from day "one" with IID installation and SR-22 (SR-22 requirement for this driving privilege is for those 21and over only) if otherwise eligible (1st AD)
d. One-Year revocation if prior alcohol offense within prior five-year period.
e. May seek limited driving privilege (LDP) from day 'one' on revocation only with IID installation and SR-22, if otherwise eligible.
f. Reinstatement:
   1. SATOP; SR-22; $45; IID, if prior alcohol

FOREIGN OR INTERNATIONAL LICENSES

FOREIGN OR INTERNATIONAL LICENSES

Foreign License Holders and "International" licenses:

There really are no easy answers in regard to how law enforcement, prosecutors and courts are to handle these drivers. It depends on whether an officer or prosecutor has the ability to independently confirm what information/status the document(s) that an out-of-country driver presents to the officer show. Officers currently have no means to confirm out-of-country status, so they are left to rely upon what is represented by the document(s) they are given. The document commonly referred to as an "International License" is not actually a driver license at all, but merely interprets a foreign license, The International Driving Permit is not required, but can be very helpful in translating the foreign license document to English. There is more information regarding International Driving Permits on the American Automobile Association (AAA) website at http://www.aaa.com/Vacation/idpf.html.

Residency Determination--Another possible approach to these drivers is via a determination of whether a driver has established Missouri "residency" as required under *Section 302.171, RSMo* so as to require application for a Missouri license. A non-resident (foreign or domestic) only has the right to legally operate in Missouri on a "foreign" license if that license is currently valid (under *Section 302.080, RSMo*). Again, however, if an officer cannot independently confirm whether the license is 'valid, the officer can only rely upon what he or she has been presented.

If an officer suspects that the license is not valid or feels that he or she does not have enough information to confirm the driver's status (say, in a circumstance without an International Driving Permit), he or she may cite for a No Op offense under ordinance or state law, and let the prosecutor (or the court) make the final determination. This may be in the form of requiring the driver to provide additional proof that their license is valid in the foreign jurisdiction, or to require the driver to apply for a Missouri license. This, too, may entail a view of the applicable immigration papers to determine the individual's lawful status, if applicable. If a foreign person has established residency in the state of Missouri, Missouri will issue a license to one who applies and is shown to have lawful status. If eligible, the driver will be issued a license valid through the date of legal status in the United States for the individual. This is not uncommon with foreign students and temporary workers.

Good Faith Basis for Citation—If a law enforcement officer encounters a driver who produces a foreign license, together with an International Driving Permit that shows an apparent valid status, it would be difficult for the officer, in good faith, to cite the driver. However, further inquiry by the officer as to the driver's residence, length of residence and other factors may serve to support a good faith basis for the citation.

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PETITION
FOR REVIEW

PETITION FOR REVIEW (PFR)

ADMINISTRATIVE ALCOHOL TRIAL DE NOVO

SECTION 302.500 – 302.540 RSMO

Required Statutory Findings:
At hearing, the court shall determine only:
(1) Whether or not the officer had probable cause to arrest for driving while intoxicated, and
(2) Whether or not the subject was driving with a BAC of .08% or above.

For drivers under age 21 (minors subject to "zero tolerance"), with a BAC of .020% - .079%, the court shall determine only:
(1) Whether or not the officer had probable cause to believe the subject violated a state, county or municipal traffic offense, and
(2) Whether or not the subject was driving with a BAC of .02% or above.

The Director of Revenue is named as a necessary party as Respondent and served. Appeal must be filed in the county of arrest within 15 days of the date of mailing of the Department's final hearing decision. Pending hearing on the petition for review, NO stay order is permitted. *Section 302.535.2, RSMo*. If otherwise eligible, a driver may be issued a Restricted Driving Privilege (RDP), valid during the pendency of the appeal. For a minor offender, an arrest for an intoxication-related offense is not required. The burden is on the Department at hearing. Appeal is de novo from the Department of Revenue administrative hearing, and is not a review of the record at hearing. The determination is independent of the adjudication of any criminal charges arising out of the same offense. Rules of civil procedure govern the trial de novo and the exclusionary rule is not applicable. *Section 302.535, RSMo.*

Foundation for Admission of the Breath Test Result (19 CSR 25-30.010 – .060):
To establish a prima facie foundation, the state must establish that the test was performed:
1) Following the approved procedures established by the Missouri Department of Health and Senior Services (DOHSS);
2) By an operator holding a valid permit issued by the DOHSS (Type II or III);
3) On a device approved by the DOHSS.

Eligible for Limited Driving Privileges?
Yes, if otherwise eligible, on a one-year Administrative Alcohol revocation ONLY, and subject to required filings. *Section 302.309.3(2)(f),RSMo.*

Eligible for Restricted Driving Privileges?
Yes, if otherwise eligible, after serving the first 30 days of a suspension, **OR** after serving "0" days of the suspension, on a "90-day Ignition Interlock Restricted Privilege. **For the new 90-day IID Restricted Privilege**, the driver (at his or her option) must affirmatively 1) make a written request to the Department of Revenue, 2) file proof of installation of an approved ignition interlock device (IID), 3) file proof of insurance/SR-22 filing.

NOTE: The 'early' 90-day Ignition Interlock RDP is at the option of the offender, and conditioned upon IID installation and monitoring requirements. First offenders remain eligible for issuance of a RDP *without* IID installation after 30 days if they do not select this option, and are otherwise eligible and meet requirements for issuance.

For additional information regarding limited and restricted driving privileges see Limited Driving Privileges section.

Reinstatement Requirements:

- **$45**
- **SATOP**
- **SR-22** (proof of financial responsibility or insurance) Not required for first-time .02 or above suspension for a minor.
- **Ignition Interlock Device (IID)** If offender has a prior "alcohol-related enforcement contact" as defined in *Section 302.525.2, RSMo*. The IID must be maintained for a period of six months *from the date of license reinstatement*. License reinstatement triggers the commencement of the six-month period, not the "eligible for" reinstatement date.

SATOP Assessment Review:
The SATOP program in the state of Missouri is administered by the Department of Mental Health, Division of Behavioral Health. More information on SATOP providers, programs and requirements may be found at www.dmh.mo.gov.

Once the offender's license is suspended or revoked, the subject must complete SATOP for license reinstatement. Following completion of the initial SATOP assessment, the offender *may* file a motion in the associate division of the circuit court of the county in which the assignment was given, on a printed form provided by the Office of State Courts Administrator (OSCA), to have the court hear and determine the motion pursuant to the provisions of chapter 517, RSMo. The motion must name the person or entity who made the SATOP assessment as Respondent and they must be served. The Department of Revenue is not a party to this action.

Upon hearing the motion, the court may, with the exception noted below, modify or waive any assignment recommendation that the court determines to be unwarranted based upon a review of the needs assessment, the person's driving record, the circumstances surrounding the offense, and the likelihood of the person committing a like offense in the future. The exception is that the court may modify, but not waive, the assignment to an education or rehabilitation program of a person determined to be a prior or persistent offender as defined in *Section 577.023 RSMo*, or a person with a BAC of .15% or more. *Section 302.540, RSMo.*

PETITION FOR REVIEW (PFR)

REFUSAL TO SUBMIT TO CHEMICAL TEST

SECTION 302.574 RSMO

Required Statutory Findings:

At a hearing the court shall determine only:

(1) Whether or not the person was arrested or stopped;

(2) Whether or not the officer had (as applicable for an adult OR a minor under 21 yrs. of age):

- (a) reasonable grounds to believe that the person was driving a motor vehicle while in an intoxicated or drugged condition; or
- (b) reasonable grounds to believe that the person stopped, being under the age of twenty-one years, was driving a motor vehicle with a blood alcohol content of two-hundredths of one percent or more by weight; or
- (c) reasonable grounds to believe that the person stopped, being under the age of twenty-one years, was committing a violation of the traffic laws of the sate, or political subdivision of the state, and such officer had reasonable grounds to believe, after making such stop, that the person had a blood alcohol content of two-hundredths of one percent or greater; and

(3) Whether or not the person refused to submit to the test.

The Director of Revenue is named as a necessary party as Respondent and served. Pending the hearing on the petition for review, a stay is permitted if the court, in its discretion, grants the stay. The court must send a copy of the stay to the Director. For a minor offender, an arrest for an intoxication-related offense is not required. The burden is on the Department and it proceeds first at hearing.

Eligible for Limited Driving Privileges?

Yes, on a first Refusal revocation, after serving 0 days of the revocation, if otherwise eligible. Must file proof of Ignition Interlock Device installation. *Section 302.309.3(6),RSMo.*

Reinstatement Requirements:

- **$45**
- **SATOP**
- **SR-22** (proof of financial responsibility or insurance)

- **Ignition Interlock Device (IID)** Required only if offender has any prior "alcohol-related enforcement contacts" as defined in *Section 302.525.3, RSMo*. The IID must be maintained for a period of six months *from the date of license reinstatement*. License reinstatement triggers the commencement of the six-month period, not the "eligible for" reinstatement date.

SATOP Assessment Review:
Once the offender's license is suspended for a refusal, he/she must complete SATOP for license reinstatement. Once the SATOP assessment is complete, the offender may file a motion in the associate division of the circuit court of the county in which the assignment was given, on a printed form provided by the Office of State Courts Administrator (OSCA), to have the court hear and determine the motion pursuant to the provisions of chapter 517, RSMo. The motion must name the person or entity who made the SATOP assessment as Respondent and they must be served.

Upon hearing the motion, the court may, with the exception noted below, modify or waive any assignment recommendation that the court determines to be unwarranted based upon a review of the needs assessment, the person's driving record, the circumstances surrounding the offense, and the likelihood of the person committing a like offense in the future. The exception is that the court may modify, but not waive, the assignment to an education or rehabilitation program of a person determined to be a prior or persistent offender as defined in *Section 577.001 RSMo*, or a person with a BAC of .15% or more. *Section 302.574.7, RSMo.*

REINSTATEMENT REQUIREMENTS

REINSTATEMENT REQUIREMENTS
(UPDATED 07/24/2020)

ACTION AND STATUTE	LOSS OF DRIVING PRIVILEGE	ELIGIBLE FOR	REINSTATEMENT REQUIREMENTS
10-YEAR DENIAL (302.060) (For three or more convictions relating to driving while intoxicated.)	• 10-year denial from the date of last conviction relating to driving while intoxicated	• Limited Driving Privilege – **May be** eligible for base privilege by court order only • SR-22 will be required for the duration of the court ordered LDP • Restricted Driving Privilege – NO • Purge – NO ***Note:*** *Proof of installation of Ignition Interlock Device (IID) equipped with a camera is required prior to an LDP being issued. The court may also order the IID to be equipped with GPS. The IID must be maintained for the duration of the LDP.*	• Submit order of reinstatement from the circuit court in the county of last alcohol conviction; and • File proof of installation of Ignition Interlock Device (IID) equipped with a camera. The court may also order the IID to be equipped with GPS. • IID must be maintained for a minimum period of six months from reinstatement date. If the driver has violations during the last three months, the IID requirement will be extended until a three-consecutive month period is completed without violations. ***Retest:*** *NO, unless revoked as a result of the conviction or expired past six months.*

ACTION AND STATUTE	LOSS OF DRIVING PRIVILEGE	ELIGIBLE FOR	REINSTATEMENT REQUIREMENTS
5-YEAR DENIAL (302.060) (For two intoxication-related convictions within five years)	• 5-year denial from the date of the last intoxication-related conviction	• Limited Driving Privilege – **May be** eligible for base privilege by court order only • SR-22 will be required for the duration of the court ordered LDP • Restricted Driving Privilege – NO • Purge – NO ***Note:*** *Proof of installation of Ignition Interlock Device (IID) equipped with a camera is required prior to an LDP being issued. The court may also order the IID to be equipped with GPS. The IID must be maintained for the duration of the LDP.*	• Submit order of reinstatement from the circuit court in the county of last alcohol conviction; and • File proof of installation of Ignition Interlock Device (IID) equipped with a camera. The court may also order the IID to be equipped with GPS. • IID must be maintained for a minimum period of six months from reinstatement date. If the driver has violations during the last three months, the IID requirement will be extended until a three-consecutive month period is completed without violations. ***Retest:*** *NO, unless revoked as a result of the conviction or expired past six months.*
5-YEAR DENIAL FOR DWI – FATALITY - FELONY (302.060)	• 5-year denial ***Note:*** *A Suspended Imposition of Sentence (SIS) conviction is used if the conviction date is on or after August 28, 2009.*	• Limited Driving Privilege – NO • Restricted Driving Privilege – NO • Purge – NO	• Submit order of reinstatement from the circuit court in the county of last alcohol conviction; and • File proof of installation of Ignition Interlock Device (IID) equipped with a camera. The court may also order the IID to be equipped with GPS. • IID must be maintained for a minimum period of six months from reinstatement date. If the driver has violations during the last three months, the IID requirement will be extended until a three-consecutive month period is completed without violations. ***Retest:*** *NO, unless revoked as a result of the conviction or expired past six months.*

ACTION AND STATUTE	LOSS OF DRIVING PRIVILEGE	ELIGIBLE FOR	REINSTATEMENT REQUIREMENTS
ABUSE & LOSE **(Court-Ordered Suspension/Revocation)** (302.400 – 302.425)	**Under 21 years of age**: • 1st offense – 90-day suspension • 2nd/subsequent offense – 1-year revocation ***Note:*** *The court may order a suspension/revocation for the following reasons:* *1) Any alcohol traffic related offense;* *2) Any offense involving the possession or use of alcohol while operating a vehicle;* *3) Any offense involving the possession or use of a controlled substance; or* 4) *Any offense involving the alteration, modification, or misrepresentation of a driver license in violation of Section 311.328.* **21 years of age or older (drug related only)**: • 1-year revocation	• Limited Driving Privilege – YES, for base privilege only • Must check points for felony convictions within 5 years that may disqualify applicant. • SR-22 **IF** revoked and over the age of 21 • Restricted Driving Privilege – NO • Temporary Instruction Permit - YES • Purge – YES, after five years from date of reinstatement	• Pay $45; • File proof of completion of a SATOP program; and • File proof of financial responsibility/SR-22, **IF** driving privilege is revoked. ***Retest:*** *Sus – NO, unless expired past six months.* *Rev – YES*

ACTION AND STATUTE	LOSS OF DRIVING PRIVILEGE	ELIGIBLE FOR	REINSTATEMENT REQUIREMENTS

ADMINISTRATIVE ALCOHOL OR ZERO TOLERANCE
 	
(302.500 – 302.541)
 	
(Driving with a BAC of .08% or more, or if under age 21 and driving with a BAC of .02% or more)
	• 1st offense 90-day suspension
	• One-year revocation if the person's driving record shows any other alcohol-related enforcement contact(s), as defined in 302.525, within the last five years
		• Limited Driving Privilege – No, if driving privilege is suspended. Yes, for base privilege only if driving privilege is revoked
		• Restricted Driving Privilege – YES, on suspensions only
		  • An immediate 90-day RDP may be issued with installation of ignition interlock device; or
		  • 60-day RDP after serving 30-days of suspension period
		  • SR-22 *Note: will not be required for first-time suspension if under age of 21.*
		• Expungement – YES, but only if first offense and meets zero tolerance criteria or ordered by the court.
		• Purge – NO
		
		If person has more than one alcohol-related enforcement contact, proof of installation of Ignition Interlock Device (IID) is required prior to an LDP or RDP being issued. It must be maintained for the duration of the LDP or RDP.
			• Pay $45;
			• File proof of financial; responsibility/SR-22 (Not required for first-time suspension if under age 21 and driving with .02% or more);
			• File proof of completion of a SATOP program; and
			• File proof of installation of Ignition Interlock Device (IID) **IF** person's driving record shows more than one alcohol-related enforcement contact
			  • IID must be maintained for a minimum period of six months from reinstatement date. If the driver has violations during the last three months, the IID requirement will be extended until a three-consecutive month period is completed without violations.
			• IF 90-day RDP issued, must obtain certification from ignition interlock installer that no violations occurred during restricted period or an additional 30-day period of restricted driving must be served. If IID is required for reinstatement, monitoring will not be required during the RDP period.
			
			Retest:
			Sus – NO, unless expired past six months.
			Rev – YES.

ADMINISTRATIVE FRAUD DENIAL (302.171 & 302.233) (Committing fraud or deception during the examination or license application process)	• 1-year denial	• Limited Driving Privilege – NO • Restricted Driving Privilege – NO • Purge – Yes, after five years from date of reinstatement	• Must serve the 1-year denial period. ***Retest:*** *YES.*

ACTION AND STATUTE	LOSS OF DRIVING PRIVILEGE	ELIGIBLE FOR	REINSTATEMENT REQUIREMENTS
CHILD SUPPORT ARREARAGE (454.1000 - 454.1018) (Failing to pay child support)	• Indefinite	• Limited Driving Privilege – NO • Restricted Driving Privilege – NO • Purge – YES, after five years from date of reinstatement	• Pay $20; and • File proof of compliance (order from the court or agency that ordered loss of license telling the Director of Revenue to give the license back). ***Retest:*** *NO, unless expired past six months.*
CITATION - REVOCATION (302.173; 302.175; 302.291) (When Director of Revenue requires testing: medical, written, or driving tests)	• 1-year revocation if driver fails an examination or does not complete required examination(s)	• Limited Driving Privilege – NO • Restricted Driving Privilege – NO • Purge – NO	• Pay $20; and • Must pass and complete driver examination(s). If medical, must also pass medical exam or provide medical clearance prior to testing. ***Retest:*** *YES, if required by the Director of Revenue.*
CITATION – PHYSICAL DENIAL (302.173; 302.175; 302.291) (When Director of Revenue requires medical testing)	• Indefinite	• Limited Driving Privilege – NO • Restricted Driving Privilege – NO • Purge – YES, after four years from date of complied, canceled, or deleted status	• Denial will be complied when a physician's statement is received indicating the driver is now medically safe to operate a motor vehicle. ***Retest:*** *NO, unless expired past six months.*
COURT ORDERED DENIAL - INCAPACITATED (302.060) (When court adjudged a person to be incapacitated and who at the time of application has not been restored to partial capacity.)	• The court determines the period of denial	• Limited Driving Privilege – NO • Restricted Driving Privilege – NO • Purge – YES, after 5 years from date of reinstatement	• Must serve denial period ordered by the court. ***Note:*** *Once the denial period is over, the DLB removes the denial from the person's driver record.* ***Retest:*** *NO, unless expired past six months.*

ACTION AND STATUTE	LOSS OF DRIVING PRIVILEGE	ELIGIBLE FOR	REINSTATEMENT REQUIREMENTS
COURT ORDERED SUSPENSION – FAILING TO STOP FOR SCHOOL BUS VIOLATION (304.070) (Effective 07/01/05)	• 1st offense – 90 day suspension • 2nd/subsequent offense – 120 day suspension	• Limited Driving Privilege – YES, for base privilege only • SR-22 • Must check points for felony convictions within 5 years that may disqualify applicant. • Restricted Driving Privilege – NO • Purge – NO	• Pay $20 ***Retest:*** *NO, unless expired past six months.*
FAILURE TO FILE ACCIDENT REPORT (303.040)	• Up to 1-year unless accident report is filed	• Limited Driving Privilege – NO (If there are other open actions and is otherwise eligible, the application will not be denied) • Restricted Driving Privilege – NO • Purge – YES, after five years from date of reinstatement	• Pay $20; and • File an accident report form (DOR-1140). ***Retest:*** *NO, unless expired past six months.*
FAILURE TO MAINTAIN IGNITION INTERLOCK DEVICE (IID) (302.060, 302.304, 302.525, 302.574)	• Re-suspension until reinstatement requirement(s) are met	• Limited Driving Privilege – NO • Restricted Driving Privilege – NO • Purge – YES, after five years from date of reinstatement	• Pay $20; and • Proof of installation or service of Ignition Interlock Device (IID), if still required. ***Retest:*** *NO, unless expired past six months.*
FAILURE TO MAINTAIN INSURANCE (302.304 & 303.044)	• Re-suspension remains in effect until filing period has ended or until acceptable proof of financial responsibility is refiled	• Limited Driving Privilege – NO (If there are other open actions and is otherwise eligible, the application will not be denied) • Restricted Driving Privilege – NO • Purge – YES, after five years from date of reinstatement	• Pay $20; and • Provide proof of liability insurance (copy of insurance ID card or SR-22). ***NOTE:*** *Review this chart for original loss of driving privilege to determine what type of proof is required (SR-22 or insurance ID card)* ***Retest:*** *NO, unless expired past six months.*

ACTION AND STATUTE	LOSS OF DRIVING PRIVILEGE	ELIGIBLE FOR	REINSTATEMENT REQUIREMENTS
FAILURE TO YIELD RIGHT OF WAY (304.351) (Effective 01/01/07)	• Caused physical injury – 30-day suspension • Caused serious physical injury – 90-day suspension • Caused a fatality – 6-month suspension (180-day)	• Limited Driving Privilege – YES, for base privilege only • SR-22 • Must check points for felony convictions within 5 years that may disqualify applicant • Restricted Driving Privilege – NO • Purge – YES, after five years from date of reinstatement	• Pay $20 ***Retest:*** *NO, unless expired past 6 months.*
FALSE INSURANCE SUSPENSION (303.042) (Vehicle owner and/or driver submit fake, fraud, or altered ID card, etc.)	• 1-year suspension of vehicle registration if <u>owner</u> submits false proof • 1-year suspension of driving privilege if <u>driver</u> submits false proof • 1-year suspension of driving privilege and vehicle registration if <u>driver who is also the owner</u> submits false proof	• Limited Driving Privilege – YES, for base privilege only • SR-22 • Must check points for felony convictions within 5 years that may disqualify applicant • Restricted Driving Privilege – NO • Purge – YES, after five years from date of reinstatement	• Pay $150; and • Provide proof of liability insurance (copy of insurance ID card). ***Retest:*** *NO, unless expired past six months.*
FRAUD REVOCATION (302.233) (Results from a "misrep" conviction that is an SIS)	• 1-year revocation	• Limited Driving Privilege – NO • Restricted Driving Privilege – NO • Purge – YES, after five years from date of reinstatement	• Pay $20 ***Retest:*** *YES.*
IGNITION INTERLOCK REVOCATION (302.462 and 577.599) (Violation of an existing ignition interlock restriction)	• 1st offense – 1-year revocation • 2nd/subsequent offense – 5-year revocation (date of conviction must have occurred during the same period of the ignition interlock restriction)	• Limited Driving Privilege – NO (When this is the only action and/or the time has not been served. If there are other open actions and is otherwise eligible, the application will not be denied) • Restricted Driving Privilege – NO • Purge – NO	• Pay $20; and ▪ File proof of financial responsibility/SR-22, **<u>IF</u>** revocation is for one-year. (Not required for five-year revocation.) ***Retest:*** *YES.*

ACTION AND STATUTE	LOSS OF DRIVING PRIVILEGE	ELIGIBLE FOR	REINSTATEMENT REQUIREMENTS
IN-STATE (FACT) OR OUT-OF-STATE (NRVC) FAILURE TO APPEAR (302.341 & 544.046) (Unpaid traffic ticket in Missouri or another state)	• Indefinite suspension until reinstatement requirements are met	• Limited Driving Privilege – NO (When this is the only action and/or the time has not been served. If there are other open actions and the compliance is shown on the failure to appear action and is otherwise eligible, the application will not be denied) • Restricted Driving Privilege – NO • Purge – YES, after 5 years from date of reinstatement	• Pay $20; and • File proof of compliance (form showing payment or appearance from Missouri court or if out-of-state, from the out-of-state agency). ***Retest:*** *NO, unless expired past six months.*
ISSUANCE DENIAL (302.060 & 302.600) (Multiple intoxication-related offender)	• Two or more intoxication-related convictions within a 5-year period in any state – 5-year denial from the last conviction date • Three or more intoxication-related convictions in any state in a lifetime – 10-year denial from the last conviction date	• Limited Driving Privilege – **May be** eligible for base privilege only through circuit court in the county of residence. • Must check points for felony convictions within 5 years that may disqualify applicant • SR-22 will be required for the duration of the court ordered LDP • Restricted Driving Privilege – NO • Purge – NO ***Note:*** *Proof of installation of Ignition Interlock Device (IID) equipped with camera is required prior to an LDP being issued. The court may also require the IID to be equipped with GPS. It must be maintained for the duration of the LDP. Proof of IID is not required for the six months following the denial period.*	• Must serve 5 or 10 year denial period. ***Retest:*** *NO, unless expired past six months.*
JUVENILE DENIAL (COURT ORDERED) (211.031) (If a juvenile is charged with an offense not classified as criminal or applicable only to children, the court may order the department to restrict the juvenile from obtaining a driver license or driver permit.)	• The court determines the period of denial	• Limited Driving Privilege – NO • Restricted Driving Privilege – NO • Purge – YES, after 5 years from date of reinstatement	• None ***Note:*** *Once the denial period is over, the DLB removes the denial from the person's driver record.* ***Retest:*** *NO, unless expired past six months.*

ACTION AND STATUTE	LOSS OF DRIVING PRIVILEGE	ELIGIBLE FOR	REINSTATEMENT REQUIREMENTS
JUVENILE DENIAL (PARENTAL DENIAL) (302.060) (Parent(s) or legal guardian(s) of a person under 18 years old may file a certified document with the department asking the department not to issue a driver license to such person.)	• The parent or legal guardian determines the period of denial	• Limited Driving Privilege – NO • Restricted Driving Privilege – NO • Purge – YES, after 5 years from date of reinstatement	• Parent or legal guardian that requested denial must file document to reinstate; or • Eligible reinstatement date is juveniles 18th birthday. ***Note:*** *Some denials on record have not been given a reinstatement date based on the 18th birthday and may need to be reinstated manually.* ***Retest:*** *NO, unless expired past six months.*

ACTION AND STATUTE	LOSS OF DRIVING PRIVILEGE	ELIGIBLE FOR	REINSTATEMENT REQUIREMENTS
LIEU OF BAIL (LB) HOLD/RELEASE ORDER (544.045) (This is not a suspension)	• None	• Limited Driving Privilege – NO • Restricted Driving Privilege – NO • Purge – YES, after four years from the date of the release order (compliance)	• None ***Note:*** *A person arrested or charged with a traffic citation may, at the discretion of the law enforcement officer or the court, have his or her license taken and held as security for appearance in court. If the person fails to appear to answer the charge, the court will notify DOR, and* ***the director will not allow the person to renew the license or apply for a duplicate license*** *until the court notifies the director that the charge has been reduced to final judgment.* ***Retest:*** *NO, unless expired past six months.*

ACTION AND STATUTE	LOSS OF DRIVING PRIVILEGE	ELIGIBLE FOR	REINSTATEMENT REQUIREMENTS
MANDATORY INSURANCE SUSPENSION (303.024 – 303.044) (Failure to have liability insurance on a vehicle you own and/or operate)	• 1st offense – 0-days (immediately eligible for reinstatement provided reinstatement requirements are met) • 2nd offense – 90-day suspension • 3rd offense – 1-year suspension	• Limited Driving Privilege – NO on 1st offense (If there are other open actions and is otherwise eligible, the application will not be denied); YES on 2nd, 3rd, or subsequent offense, for base privilege only • Must check points for felony convictions within 5 years that may disqualify applicant • SR-22 • Restricted Driving Privilege – NO • Purge – NO	• 1st offense – Pay $20 • 2nd offense – Pay $200 • 3rd offense – Pay $400 • File proof of liability insurance (copy of insurance ID card) *If an accident is involved, an SR-22 form is required for proof of insurance. An ID card will not be accepted.* ***Retest:*** *NO, unless expired past six months.*
MINOR IN POSSESSION (302.400 & 311.325) (Court ordered loss of license for offenses committed under 311.325)	• 1st offense – 30-day suspension • 2nd offense – 90-day suspension • 3rd/subsequent offense – 1-year revocation ***Note:*** *The court may order a suspension/revocation for the following reasons:* *1) Purchasing, attempting to purchase, or possessing alcohol;* *2) Being visibly intoxicated; or* *3) Having a BAC level of more than .020 percent.*	• Limited Driving Privilege – YES, for base privilege only • SR-22 **IF** driving privilege is revoked • Restricted Driving Privilege – NO • Temporary Instruction Permit - YES • Purge – YES, after five years from date of reinstatement and must be 21 years of age	• Pay $45; • File proof of completion of SATOP program; and ▪ File proof of financial responsibility/SR-22, **IF** driving privilege is revoked. ***Retest:*** *Sus – NO, unless expired past six months.* *Rev – YES*
MISREPRESENTATION OF FACT REVOCATION (302.233) (When a person misrepresents the facts to fraudulently obtain a driver license)	• 1-year revocation	• Limited Driving Privilege – NO • Restricted Driving Privilege – NO • Purge – YES, after five years from date of reinstatement	• Pay $20 ***Retest:*** *YES.*

ACTION AND STATUTE	LOSS OF DRIVING PRIVILEGE	ELIGIBLE FOR	REINSTATEMENT REQUIREMENTS

MOTOR FUEL THEFT SUSPENSION
 	
(302.286)
 	
(Stealing gas from a gas station and being convicted in state court for stealing)
	• 1st offense – 60-day suspension
	• 2nd offense – 90-day suspension
	• 3rd/subsequent offense – 180-day suspension
		• Limited Driving Privilege – YES, for base privilege only, after serving the following time:
		  • 30 days on a 60-day suspension
		  • 60 days on a 90-day suspension
		  • 90 days on a 180-day suspension
		• SR-22
		• Restricted Driving Privilege – NO
		• Purge – NO
			• Pay $45
			
			Retest: *NO, unless expired past 6 months.*

MOTOR VEHICLE ACCIDENT JUDGMENT (302.281) (Failing to pay for damages/injuries caused in an accident)	• Suspended until judgment is settled, or 10 years have lapsed	• Limited Driving Privilege – NO (If there are other open actions and the compliance is shown on the judgment and is otherwise eligible, the application will not be denied) • Restricted Driving Privilege – NO • Purge – YES, after five years from date of reinstatement provided judgment is fully satisfied	• Pay full amount of judgment or enter into a payment plan; • Pay $20; and • File proof of liability insurance form (SR-22). ***Retest:*** *NO, unless expired past 6 months.*
OUT-OF-STATE ACCIDENT (303.080)	• Indefinite until out-of-state DMV sends clearance	• Limited Driving Privilege – NO (If there are other open actions and is otherwise eligible, the application will not be denied) • Restricted Driving Privilege – NO • Purge – YES, after five years from date of reinstatement	• Pay $20; and • Notice of clearance from out-of-state DMV. ***Retest:*** *NO, unless expired past 6 months.*

ACTION AND STATUTE	LOSS OF DRIVING PRIVILEGE	ELIGIBLE FOR	REINSTATEMENT REQUIREMENTS

POINTS ALCOHOL-RELATED MOVING VIOLATIONS
 	
(302.302 & 302.304)
 	
(Examples: DWI, BAC, DUID)
	• 1st offense – 90-day suspension
	• 2nd/subsequent offense – 1-year revocation (2nd/sub could also result in 5- or 10-year denial)
		• Limited Driving Privilege – No, if driving privilege is suspended. Yes, for base privilege only, if driving privilege is revoked.
		• If revoked, must check points for felony convictions that may disqualify applicant.
		• Restricted Driving Privilege – YES, on suspensions only
		  • An immediate 90-day RDP may be issued with installation of ignition interlock device; or
		  • 60-day RDP after serving 30-days of suspension period
		• SR-22
		• Purge – NO
		
		If person has more than one alcohol-related enforcement contact, proof of installation of Ignition Interlock Device (IID) is required prior to an LDP being issued. It must be maintained for the duration of the LDP.
		
		If person has a felony conviction, he or she can apply for an LDP through DOR or Circuit Court once the conviction is over five-years old. If the felony conviction is not five-years old, only a DWI court can grant the LDP.
			• Pay $45 (Out of State Alcohol/Drug is $20);
			• File proof of financial responsibility/SR-22;
			• File proof of completion of a SATOP program; and
			• File proof of installation of Ignition Interlock Device (IID) if person's driving record shows more than one alcohol-related enforcement contact
			  ▪ IID must be maintained for a minimum period of six months from reinstatement date. If the driver has violations during the last three months, the IID requirement will be extended until a three-consecutive month period is completed without violations.
			• IF 90-day RDP issued, must obtain certification from ignition interlock installer that no violations occurred during restricted period or an additional 30-day period of restricted driving must be served. If IID is required for reinstatement, monitoring will not be required during the RDP period.
			
			Retest:
			Sus – NO, unless expired past 6 months.
			Rev – YES.

ACTION AND STATUTE	LOSS OF DRIVING PRIVILEGE	ELIGIBLE FOR	REINSTATEMENT REQUIREMENTS
POINTS NON-ALCOHOL MOVING VIOLATIONS (302.302 & 302.304) (Examples: Speeding, Stop Sign, Careless Driving)	Accumulation of 8 points in 18 months: • 1st offense – 30-day suspension • 2nd offense – 60-day suspension • 3rd/subsequent offense – 90-day suspension Accumulation of 12 points in 12 months, or 18 points in 24 months, or 24 points in 36 months, the driving privilege will be revoked for one year.	• Limited Driving Privilege – YES, for base privilege only • Must check points for felony convictions within 5 years that may disqualify applicant • SR-22 • Restricted Driving Privilege – NO • Purge - Suspension/revocation action can be purged after five years from date of reinstatement or termination (which did not result from convictions requiring permanent retention).	• Pay $20; and • File proof of liability insurance form (SR-22) ***Retest:*** *Sus – NO, unless expired past 6 months.* *Rev – YES.*
REFUSAL TO SUBMIT TO ALCOHOL OR DRUG TEST **(CHEMICAL REFUSAL)** (302.574 and 577.041)	• Revoked for one year	• Limited Driving Privilege – Yes, for base privilege only with IID • Must check points for felony convictions within 5 years that may disqualify applicant • SR-22 • Restricted Driving Privilege – NO • Purge – NO ***Note:*** *Proof of installation of Ignition Interlock Device (IID) is* ***required*** *prior to an LDP being issued. It must be maintained for the duration of the LDP.*	• Pay $45; • File proof of financial responsibility/SR-22; • File proof of completion of a SATOP program; and • File proof of installation if Ignition Interlock Device (IID) if person's driving record shows more than one alcohol-related enforcement contact ▪ IID must be maintained for six months from reinstatement date. If the driver has violations during the last three months, the IID requirement will be extended until a three-consecutive month period is completed without violations. ***Retest:*** *NO, unless expired past 6 months.*

ACTION AND STATUTE	LOSS OF DRIVING PRIVILEGE	ELIGIBLE FOR	REINSTATEMENT REQUIREMENTS
SCHOOL BUS SUSPENSION (302.275) (Failure to pass drug test)	• 1-year suspension of the School Bus Endorsement	• Limited Driving Privilege – NO (If there are other open actions and is otherwise eligible, the application will not be denied) • Restricted Driving Privilege – NO • Purge – YES, after five years from date of reinstatement	• Pay $20 ***Retest:*** *NO, unless expired past 6 months.*
SECURITY ACCIDENT (303.030) (How much money is owed in damages from an accident)	• Up to 1-year unless damages are settled	• Limited Driving Privilege – NO (If there are other open actions and is otherwise eligible, the application will not be denied) • Restricted Driving Privilege – NO • Purge – YES, after five years from date of reinstatement	• Pay $20; and • File bond, a deposit, or proof that the damages are paid or the accident is settled (payment plan). ***Retest:*** *NO, unless expired past 6 months.*
Skills Test Denial (302.311 and 302.173) (The Missouri State Highway Patrol (MSHP) completes a Driving Skills Test Report (Form 4685) after an applicant fails a driving skills test three times and for EACH failed test thereafter)	• License issuance denial until completion of behind the wheel training and passing skills test.	• Instruction permits only, if completed and passed written testing.	Training log must be provided for compliance. All logged hours must be accompanied by a valid licensed driver. • 3x Fail – 20 hours of behind the wheel training • 4x Fail – 20 hours of behind the wheel training and wait 60 days before retesting • 5x Fail – 40 hours of behind the wheel training and wait 90 days before retesting • 6x Fail – Testing denied for one year After complying with these requirements, Central Office will provide the applicant with a letter approving them to take another skills test. *NOTE: Separate provisions for new non-CDL versus CDL Skills Testing Denial*

ACTION AND STATUTE	LOSS OF DRIVING PRIVILEGE	ELIGIBLE FOR	REINSTATEMENT REQUIREMENTS
Strike Highway/Emergency Worker Revocation (304.580.6 or 304.894.6) (Striking a highway worker or emergency responder in a properly identified work or emergency zone.)	• Indefinite revocation until reinstatement requirements are met	• Limited Driving Privilege – NO (If there are other open actions and the compliance is shown on the action and is otherwise eligible, the application will not be denied) • Restricted Driving Privilege – NO • Purge – YES, after 5 years from date of reinstatement	• Pay $20; and • File proof of compliance (Passed retest of written and skills test). ***Retest:*** *Not after reinstatement, must retest for compliance in order to reinstate.*

*end

APPENDIX

CR105 – Order to Install Ignition Interlock Device
CV210 – Order Granting Limited Driving Privileges
CV215 – Order to Terminate Limited Driving Privileges
CR143 – Order for Expungement of Arrest Record
CR145 – Petition for Expungement of Arrest Record
CR300 –Petition for Correction of Arrest/Court Records – Identity Theft
CR310 – Order for Correction of Arrest/Court Records – Identity Theft
CR301 –Petition for Expungement – Mistaken Identity
CR311 – Order for Expungement – Mistaken Identity
CR360 –Petition for Expungement – Section 610.140, RSMo.
CR370 – Order for Expungement – Section 610.140, RSMo.
CR102 – Order for Fingerprinting
Legal Financial Obligations Bench Card

IN THE _____ JUDICIAL CIRCUIT, _____ COUNTY, MISSOURI

Judge or Division:	**Case Number:**
	Court ORI Number:
Defendant's Name, Alias(es)/Address:	Offense(s):
	Date of Birth:
	Driver License No./Issuing State/Exp. Date:
	Offense Cycle No.(OCN):

(Date File Stamp)

Order to Install Ignition Interlock Device

Pursuant to section 302.442.2, RSMo, the court orders you to have an ignition interlock device installed on any vehicle you operate and prohibits you from operating any vehicle unless it is equipped with such a device. The ignition interlock device shall have ☐ photo identification technology ☐ and global positioning system features.

Proof of installation of the ignition interlock device(s) must be provided to the ☐ court ☐ probation officer by _____ (date) and remain on the vehicles:

- ☐ during the period of probation: Start date: _____ Probation term: _____.
- ☐ during the period of limited driving privilege: Effective date: _____ Term date: _____.
- ☐ six (6) months after the date of the reinstatement of the driver license.

☐ Your application to the court for an employment exemption variance to allow you to drive an employer-owned vehicle not equipped with an ignition interlock device for employment purposes only is granted for your employment with _____. You shall not drive, operate, or be in physical control of an employer-owned vehicle used for transporting children under 18 years of age or vulnerable persons, as defined in section 630.005, RSMo, or an employer-owned vehicle for personal use.

☐ Your application to the court for an employment exemption variance to allow you to drive an employer-owned vehicle not equipped with an ignition interlock device for employment purposes only is **not** granted.

Failure to provide proof of installation within that period may result in your probation being revoked or your limited driving privilege being terminated. (Section 302.442, RSMo)

You are responsible for all costs associated with the installation, maintenance, calibration, and removal of the device. You are also liable for the cost of replacement if the device is broken, destroyed or stolen. (Section 302.442.5, RSMo)

This order does not authorize you to operate a motor vehicle if your driving privilege has been suspended or revoked, unless you have obtained a limited driving privilege or restricted driving privilege under other provisions of law. (Section 302.442.4, RSMo)

Violation of the order prohibiting you from operating a vehicle that is not equipped with an ignition interlock device will result in the revocation of your driving privilege and you could be convicted of a class A misdemeanor, punishable for a term of imprisonment not to exceed one year.

_____ Date

_____ Judge

Defendant:	Case Number:
	Court ORI Number:

Proof of Installation

I certify that ignition interlock device(s) were installed on vehicle(s), as ordered by the court for _____ (name), _____ (DOB) on _____ (date).

The ignition interlock device(s) installed has ☐ photo identification technology ☐ and global positioning system features.

Manufacturer: _____

Device Name: _____

Device Serial Number: _____

Installation facility, address and telephone number: _____

_____

_____

_____
Date

_____
Type or Print Name of Installer

_____
Signature of Installer

Instructions to the Clerk

1. Provide a copy of the Order to Install Ignition Interlock Device to the defendant to be returned to the court ordered supervising authority once the device is installed and Proof of Installation is completed by the installer.

2. Send a copy of the Order to the Department of Revenue at the time the order is entered to the following address:

   Department of Revenue
   Driver License Bureau
   301 West High Street Room 470
   P.O. Box 200
   Jefferson City, Missouri 65105-0200

IN THE _____JUDICIAL CIRCUIT COURT, _____, MISSOURI

Judge or Division:	**Case Number:**
Petitioner:	**Court ORI Number:**
Respondent: Director of Revenue	Petitioner's Driver License No./Issuing State/Exp. Date:
	Petitioner's Date of Birth:

(Date File Stamp)

Order Granting Limited Driving Privileges

Now on the above date, the Respondent having been served, and the Petition and Answer having been examined and evidence adduced, the Court finds that Petitioner's driving privilege is ☐ suspended ☐ revoked ☐ denied and the Petitioner is eligible for limited driving privileges in accordance with section 302.309, RSMo.

☐ The Petitioner has completed at least 45 days or has graduated from a DWI court in accordance with section 302.309.3(9), RSMo.

Now, therefore, it is ordered that the Petitioner is granted limited driving privileges subject to the following conditions:

☐ **The Petitioner is required to have an ignition interlock device installed on any vehicle operated during the period of this order. Proof of installation must be provided to the court by _____ (date) and/or with the Department of Revenue as otherwise required by law. (See attached Order to Install Ignition Interlock Device.)**

☐ **The Petitioner's ignition interlock device shall have photo identification technology and global positioning system features because Petitioner's license has been denied for a period of 5 or 10 years.**

This order authorizes the Petitioner only to operate a vehicle based on the license class marked below:

☐ Class E (For hire driver not required to have Class A, B, or C)
☐ Class F (Operator's License)
☐ Class M (Motorcycle Only)

Petitioner may not operate a commercial motor vehicle with this order.

This order is effective this date, unless checked below, and shall terminate on _____.

☐ Effective after 90 days of revocation is served; said period beginning on the date of this order.
☐ Effective after 30 days of suspension or revocation is served; said period beginning on the date of this order.
☐ Effective after 45 days of revocation is served; said period beginning on the date of this order.
☐ Mandatory 30, 45, or 90 day period has been served, limited driving privileges effective immediately.

Petitioner's residence address is: _____.

Petitioner may operate his/her vehicle subject to the conditions checked "yes" below:

Yes **No**
☐ ☐ In connection with a business, occupation or employment or to attend school or institution of higher education.

Yes **No**
☐ ☐ (On _____ through _____ from _____ am to _____ am and from _____ pm to _____ pm)

From the above residence address to the place of employment/school etc. at (include name and address)

_____

_____

over the following route _____

_____ and the reverse thereof.

☐ ☐ Petitioner shall maintain a log book of all travel required except as provided immediately above. Before beginning any trip (1) the purpose of the trip, (2) the date, time and starting point, and (3) the destination and specific route by street shall be entered in the log. As soon as the trip is completed, the date and time shall be entered. In the event the trip is terminated before completed, the reason and date and time shall be entered in the log. Not less often than every thirty (30) days the Petitioner's immediate supervisor shall review the log, and if all the travel was required by his/her business, occupation or employment, he/she shall sign the log approving it.

Yes	No	
☐	☐	To seek personal medical treatment or to personally attend alcohol or drug treatment programs. From the above residence address to the place of treatment at (include name and address) _____ over the following route _____ _____ and the reverse thereof.

Yes No
☐ ☐ Petitioner shall maintain a log book of all travel required except as provided immediately above. Before beginning any trip (1) the purpose of the trip, (2) the date, time and starting point, and (3) the destination and specific route by street shall be entered in the log. As soon as the trip is completed, the date and time shall be entered. In the event the trip is terminated before completed, the reason and date and time shall be entered in the log.

☐ ☐ To seek the required services of a certified ignition interlock device provider.

From the above residence address to the business address of a certified ignition interlock device provider at (include name and address)

_____

_____

over the following route:

_____

_____ and the reverse thereof.

☐ ☐ Other _____

_____

☐ Provided further that Petitioner may drive pursuant to the above-approved conditions only if the Petitioner is the only occupant in the vehicle.

The Director of Revenue and agents are hereby ordered to permit the Petitioner to make application for and submit to complete driver examination, if required.

Petitioner shall maintain proof of financial responsibility, and if necessary, proof of installation of ignition interlock device with the Director of Revenue during the duration of this order. Failure to maintain proof of insurance and/or installation of an ignition interlock device, as required, may result in the termination of this order without further process.

Clerk shall mail a certified copy of this Order to the Driver License Bureau, Department of Revenue.

Petitioner must keep a copy of this order on his/her person at all times while operating a motor vehicle under this order. This privilege to drive is for the state of Missouri only. Out-of-state law enforcement will make their own determination as to whether to honor this privilege if you drive in their state. The Petitioner's copy must have a court seal.

_____
Attorney for Respondent Bar Number

_____
Petitioner

_____
Attorney for Petitioner Bar Number

Address _____

_____

Telephone _____

So Ordered:

_____ _____
Date Commissioner

_____ _____
Date Judge

IN THE _____ JUDICIAL CIRCUIT COURT, _____, MISSOURI

Judge or Division:	**Case Number:**
Petitioner:	**Court ORI Number:**
Respondent: Director of Revenue	Petitioner's Driver License No./Issuing State/Exp. Date:
	Petitioner's Date of Birth:

(Date File Stamp)

Order to Terminate Limited Driving Privileges

On _____ (date) Petitioner was granted limited driving privileges pursuant to Section 302.309.3 RSMo.

The court now finds that

☐ Petitioner is no longer a participant in a DWI court in accordance with Section 302.309.3(9) RSMo.

☐ Petitioner, as a participant in a DWI court, failed to follow the orders of the DWI court in accordance with Section 302.309.3(9) RSMo.

☐ Petitioner violated a condition of the order granting limited driving privileges in accordance with Section 302.309 RSMo.

Therefore, the court orders that the Petitioner's limited driving privileges be terminated.

Clerk shall mail a certified copy of this Order to the Driver License Bureau, Department of Revenue.

So Ordered:

_____ Date

_____ Commissioner

_____ Date

_____ Judge

IN THE _____ JUDICIAL CIRCUIT, _____ COUNTY, MISSOURI

Judge or Division:	**Case Number:**
	Court ORI Number:
	Offense Cycle No. (OCN):

Petitioner:

vs.

Defendant(s):

- ☐ Circuit Court Division _____
- ☐ Associate Court Division ____
- ☐ Municipal Court Division ____
- ☐ _____ County Sheriff's Dept.
- ☐ _____ Municipal Police Dept.
- ☐ Missouri Highway Patrol Troop _____
- ☐ _____ Criminal Records Repository

Prosecutor's Office (include Name of County or City)

- ☐ County _____
- ☐ Municipal _____

Other (include Name and Address of Agency)

_____

_____

(Date File Stamp)

Judgment and Order of Expungement of Arrest Record

Pursuant to section 610.123.4, RSMo, the court finds the petitioner in the above titled cause is entitled to expungement of the arrest records specified in the petition bringing this action and recorded pursuant to section 43.503, RSMo.

The court orders each agency named as defendants in the attached petition to expunge the arrest records specified in the petition in the manner provided in section 610.124, RSMo.

The court finds:

☐ that the arrest of the petitioner in the case recorded pursuant to section 43.503, RSMo, identified above was based on false information; that there is no probable cause at the time of the action to expunge to believe that the individual committed the offense; that no charges will be pursued as a result of the arrest; that the petitioner/subject of the arrest has no prior or subsequent misdemeanor or felony convictions; that the petitioner/subject did not receive a suspended imposition of sentence (SIS) for which the arrest was made or for any offense related to the arrest; and that no civil action is pending relating to the arrest or the records sought to be expunged.

☐ that the petitioner was arrested for, or was subsequently charged with, a misdemeanor offense of chapter 303 or any moving violation as the term "moving violation" is defined under section 302.010, RSMo, except for any intoxication-related traffic or boating offense as "intoxication-related traffic offense" and "intoxication-related boating offense" are defined under section 577.001, RSMO; and each offense or violation related to the arrest was subsequently nolle prossed or dismissed, or the accused was found not guilty of each offense or violation; the petitioner is not a commercial driver's license holder and was not operating a commercial motor vehicle at the time of the arrest; that the petitioner/subject of the arrest has no prior or subsequent misdemeanor or felony convictions; and no civil action is pending relating to the arrest or the records sought to be expunged.

Therefore, pursuant to section 610.123.4, RSMo, the court orders each agency identified in the petition to expunge the arrest records of the petitioner specified above.

SO ORDERED,

_____ Date

_____ Judge

Directions to Clerk

Upon finding by the court that the petitioner is entitled to expungement of any record that is the subject of the petition, the clerk shall provide a copy of the order to each official, or agency or other entity identified in the petition.

IN THE _____ JUDICIAL CIRCUIT, _____ COUNTY, MISSOURI

Judge or Division:	**Case Number:**
	Court ORI No.:

Petitioner:

vs.

(Date File Stamp)

Defendant(s):

- ☐ Circuit Court Division _____
- ☐ Associate Court Division _____
- ☐ Municipal Court Division _____
- ☐ Criminal Records Repository
- ☐ _____ County Sheriff's Dept.
- ☐ _____ Municipal Police Dept.
- ☐ _____ Missouri Highway Patrol Troop

Prosecutor's Office (include name of county or city)

- ☐ County _____
- ☐ Municipal _____

☐ Other (include name and address of agency):

_____

_____

Petition for Expungement of Arrest Records

Pursuant to section 610.122, RSMo, I request that the court issue an order to expunge my record of arrest, for the following criminal case: _____

☐ I am filing this petition in the county where the arrest occurred and I hereby swear that I have no prior or subsequent misdemeanor or felony convictions and I did not receive a suspended imposition of sentence (SIS) for the offense for which the arrest was made or for any offense related to the arrest. I also state that the arrest was based on false information; there is no probable cause at the time of the action to expunge to believe that I committed the offense; no charges will be pursued as a result of the arrest; and no civil action is pending relating to the arrest or the records sought to be expunged. I am providing my fingerprints on a standard fingerprint card for verification of my identity.

☐ I am filing this petition in the county where the arrest occurred and I hereby swear that I have no prior or subsequent misdemeanor or felony convictions. I was arrested for, or was subsequently charged with, a misdemeanor offense of chapter 303 or a moving violation as the term "moving violation" is defined under section 302.010, RSMo, except for any intoxication-related traffic or boating offense as "intoxication-related traffic offense" and "intoxication-related boating offense" are defined under section 577.001, RSMO; and each offense or violation related to the arrest was subsequently nolle prossed or dismissed, or I was found not guilty of each offense or violation; I am not a commercial driver's license holder and was not operating a commercial motor vehicle at the time of the arrest; and no civil action is pending relating to the arrest or the records sought to be expunged. I am providing my fingerprints on a standard fingerprint card for verification of my identity.

I have reason to believe the agencies named above as defendants may possess records subject to expungement.

Full Name		Sex ☐ M ☐ F	Race
Date of Birth	Social Security Number	Driver's License Number	
Address at Time of Arrest		Offense Charged	
Date of Arrest	Arrest Citation Number	If criminal charges were filed, date of dismissal or reversal	
County where Petitioner was arrested (if Arrest Occurred in a Municipality, also Name Municipality)		Name of Arresting Agency	

Case Number and Division of Court of the Offense ☐ Circuit ☐ Associate ☐ Municipal Division _____

#_____ ☐ Not Applicable

Page 143

I swear the facts stated in the above petition are true according to my best knowledge and belief.

_____
Petitioner's Signature/Address

_____

_____

Subscribed and sworn to before me this _____ day of _____, _____

My commission expires: _____ _____
Notary Public/Judge/Clerk

Instructions to Clerk

1. A copy of the petition shall be issued to the prosecuting attorney.
2. A copy of the petition and the fingerprint card should be sent to the Missouri Criminal Record Repository.
3. Give notice of the hearing to the prosecuting attorney and each official, or agency, or other entity named in the petition.

IN THE _____ JUDICIAL CIRCUIT COURT, _____, MISSOURI

Judge or Division:	**Case Number:**
	Court ORI Number:
	Offense Cycle No. (OCN):
Petitioner:	

(Date File Stamp)

Respondent(s):

- ☐ Circuit Court Division _____
- ☐ Associate Court Division _____
- ☐ Municipal Court Division _____
- ☐ Criminal Records Repository
- ☐ _____ County Sheriff's Dept.
- ☐ _____ Municipal Police Dept
- ☐ _____ Missouri Highway Patrol Troop

Prosecutor's Office (include name of county or city)

- ☐ County _____
- ☐ Municipal _____

☐ Other (include name and address of agency):

_____

_____

Petition for Correction of Arrest/Court Records – Identity Theft

I am the victim of false impersonation and my identity has been falsely reported in arrest and court records. I have reason to believe the agencies named above as respondents may possess records subject to expungement or correction.

I am filing this petition in the county where the arrest occurred.

I am providing my fingerprints on a standard fingerprint card for verification of my identity.

Pursuant to Sections 575.120.4 and 610.123, RSMo, I hereby request that the court issue an order to expunge the following arrest and court records that falsely identify me and to correct the arrest and court records to accurately reflect the identity of the defendant:

Petitioner's Full Name		Sex ☐ M ☐ F	Race
Date of Birth	Social Security Number	Driver's License Number	
Address at Time of Arrest		Offense Charged	
Date of Arrest	Arrest Citation Number (if known)	Date of Conviction (if known)	
County where Arrest Occurred (if Arrest Occurred in a Municipality, also Name Municipality)		Name of Arresting Agency	

Case Number and Division of Court of the Offense ☐ Circuit ☐ Associate ☐ Municipal Division _____

#_____ ☐ Not Applicable

If known, complete the following :

Defendant's Full Name		Sex ☐ M ☐ F	Race
Date of Birth	Social Security Number	Driver's License Number	

I swear/affirm under penalty of perjury that these facts are true according to my best knowledge and belief.

_____

Petitioner's Signature/Address

_____

_____

Instructions to Clerk

1. A copy of the petition shall be issued to each official, agency or other entity named in the petition.
2. A copy of the petition and the fingerprint card shall be sent to the Missouri Criminal Record Repository.
3. Give notice of the hearing to the prosecuting attorney and each official, or agency, or other entity named in the petition.

IN THE CIRCUIT COURT OF _____ COUNTY, MISSOURI

Judge or Division:	**Case Number:**
	Court ORI Number:

Petitioner:

vs.

Respondent(s)

- ☐ Circuit Court Division _____
- ☐ Associate Court Division _____
- ☐ Municipal Court Division _____
- ☐ _____ County Sheriff's Dept.
- ☐ _____ Municipal Police Dept.
- ☐ Missouri Highway Patrol Troop _____
- ☐ _____ Criminal Records Repository

Prosecutor's Office (include Name of County or City)

- ☐ County _____
- ☐ Municipal _____

Other (include Name and Address of Agency)

_____

_____

(Date File Stamp)

Judgment and Order of Correction of Arrest/Court Records – Identity Theft

The court finds the Petitioner in the above titled cause is a victim of false impersonation and that his/her identity was falsely reported in arrest and/or court records.

The court finds that a substantial number of identifying factors of the Petitioner were falsely ascribed to the person actually arrested and/or convicted and that Petitioner is entitled to expungement and correction of the arrest and court records specified in the petition and recorded pursuant to Section 43.503 RSMo.

Therefore, pursuant to Sections 575.120.4 and 610.123 RSMo, the court orders each agency named as Respondents to expunge Petitioner's identifying information as set forth in the petition from said arrest and court records and to amend and correct said arrest and court records as follows:

_____

_____

_____

_____

_____

_____

_____

SO ORDERED,

_____ Date

_____ Judge

Directions to Clerk

Upon finding by the court that the Petitioner is entitled to expungement/correction of any record that is the subject of the petition, the clerk shall provide a copy of the order to each official, or agency or other entity identified in the petition.

IN THE _____ JUDICIAL CIRCUIT, _____ COUNTY, MISSOURI

Judge or Division:	**Case Number:**
	Court ORI Number:
	Offense Cycle No. (OCN):

Petitioner:

vs.

(Date File Stamp)

Respondent(s):

- ☐ Circuit Court Division _____
- ☐ Associate Court Division _____
- ☐ Municipal Court Division _____
- ☐ Criminal Records Repository
- ☐ _____ County Sheriff's Dept.
- ☐ _____ Municipal Police Dept
- ☐ _____ Missouri Highway Patrol Troop

Prosecutor's Office (include name of county or city)

- ☐ County _____
- ☐ Municipal _____

☐ Other (include name and address of agency):

_____

_____

Petition for Expungement – Mistaken Identity

I was erroneously named as the defendant in the case referenced below in that ☐ 1) My identifying information was used by another person; or ☐ 2) I was the victim of mistaken identity.

All resulting charges against me have been dismissed or I have been found not guilty. I have reason to believe the agencies named above as respondents may possess records subject to expungement.

I am filing this petition in the court where the charge was last pending.

Pursuant to section 610.145, RSMo, I hereby request that the court issue an order to expunge from all official records relating to the apprehension, charge, or trial any entries that erroneously identify me in the record.

Petitioner's Full Name		Sex ☐ M ☐ F	Race
Date of Birth	Social Security Number	Driver's License Number	
Address at Time of Arrest		Offense Charged	
Date of Arrest	Arrest Citation Number (if known)	Date of Dismissal/Acquittal	
County where Arrest Occurred (if Arrest Occurred in a Municipality, also Name Municipality)		Name of Arresting Agency	

Case Number and Division of Court of the Offense ☐ Circuit ☐ Associate ☐ Municipal Division _____

_____ ☐ Not Applicable

I swear/affirm under penalty of perjury that these facts are true according to my best knowledge and belief.

_____

Petitioner's Signature/Address

_____

_____

Instructions to Clerk

Give notice of the hearing to the prosecuting attorney.

IN THE _____ JUDICIAL CIRCUIT, _____ COUNTY, MISSOURI

Judge or Division:	**Case Number:**
	Court ORI Number:
Petitioner:	
vs.	
Respondent(s) ☐ Circuit Court Division _____ ☐ Associate Court Division _____ ☐ Municipal Court Division _____ Prosecutor's Office (include Name of County or City) ☐ County _____ ☐ Municipal _____	☐ _____ County Sheriff's Dept. ☐ _____ Municipal Police Dept. ☐ Missouri Highway Patrol Troop _____ ☐ _____ Criminal Records Repository Other: (include Name and Address of Agency) _____ _____

(Date File Stamp)

Judgment and Order of Expungement – Mistaken Identity

The court finds the Petitioner in the above titled cause was erroneously named as the defendant in Case Number: _____ because Petitioner's identifying information was used by another person, or Petitioner was a victim of mistaken identity. All resulting charges against the Petitioner have been dismissed or the Petitioner was found not guilty.

Therefore, pursuant to section 610.145, RSMo, the court orders each agency named as Respondents to expunge Petitioner's identifying information as set forth in the petition from said arrest and court records and to amend and correct said arrest and court records as follows:

_____

_____

_____

_____

_____

_____

_____

In addition, any administrative action taken by the department of revenue, the department of corrections, or any state or local agency, shall be reversed and those administrative records shall be expunged.

SO ORDERED,

_____ Date

_____ Judge

Directions to Clerk

Upon finding by the court that the Petitioner is entitled to expungement of any record that is the subject of the petition, the clerk shall provide a copy of the order to each official, or agency or other entity identified in the petition.

IN THE _____ JUDICIAL CIRCUIT, _____ COUNTY, MISSOURI

Judge or Division:	**Case Number:**
Petitioner: vs.	(Date File Stamp)

Defendant(s): (select or list all of the agencies you believe may have records of each of the convictions you seek to expunge, attach additional sheets as necessary)

- ☐ Circuit Court Division _____
- ☐ Municipal Division, City of _____
- ☐ Missouri State Highway Patrol (MSHP) Criminal Justice Information Services (CJIS) Division
- ☐ Prosecuting Attorney(s) / Circuit Attorney(s) (include name of county) County _____
- ☐ Missouri Department of Revenue
- ☐ _____ County Sheriff's Dept.
- ☐ _____ Municipal Police Dept.
- ☐ Other (include name and address of agency) _____

Petition for Expungement – Section 610.140, RSMo.

Pursuant to section 610.140, RSMo, I request that the court issue an order to expunge my record of arrest, plea, trial, or conviction(s), for the criminal case(s) identified below.

All of the convictions listed below occurred and were prosecuted within the state of Missouri. I am filing this petition in the county where the conviction(s) was charged or I was found guilty.

I hereby swear:

1. That the appropriate amount of time has lapsed since the arrest and/or completion of the authorized disposition imposed for each offense that I am asking to have expunged; it has been at least seven years for any felony offense or least three years for any misdemeanor, infraction, or ordinance violation;
2. I have not been found guilty of any other misdemeanor or felony, not including violations of the traffic regulations provided under chapters 304 and 307, RSMo, during the time period specified for the underlying offense, violation, or infraction in section 610.140.5.1, RSMo;
3. I have satisfied all obligations relating to any such disposition, including the payment of any fines or restitution;
4. I do not have any charges pending;
5. My habits and conduct demonstrate that the petitioner is not a threat to the public safety of the state;
6. ☐ I have not previously been granted an expungement or ☐ I have previously been granted an expungement (list court and case number: _____); and
7. The expungement is consistent with the public welfare and the interests of justice warrant the expungement.

I have reason to believe the agencies named above as defendants may possess records subject to expungement. The court's order of expungement shall not affect any person or entity not named as a defendant in the action. I understand that if I do not meet all the criteria for any of the offenses listed for expungement or knowingly provide false information, the petition will be dismissed by the court and I may not refile another petition until a year has passed since the date of filing this petition.

Full Name:	Sex: ☐ M ☐ F	Race:	Date of Birth:
Current Address:	Driver License No./Issuing State/Exp. Date:		

Please provide the following information for the arrest, plea, trial or conviction(s) to be expunged. Attach additional sheets as necessary.

Case Number	Court Name	Approx. Date of Charge	County/Municipality of Charge	Description of Charge

I declare under penalty of perjury that the statements made herein are true and correct to the best of my knowledge, information, and belief.

_____
Petitioner's Signature

IN THE _____ JUDICIAL CIRCUIT, _____ COUNTY, MISSOURI

Judge or Division:	**Case Number:**	
	Criminal Case Number(s):	OCN (for each criminal case):
Petitioner: vs.		(Date File Stamp)

Defendant(s):

- ☐ Circuit Court Division _____
- ☐ Municipal Division, City of _____
- ☐ Missouri State Highway Patrol (MSHP) Criminal Justice Information Services (CJIS) Division
- ☐ Prosecuting Attorney(s) / Circuit Attorney(s) (include name of county) County _____
- ☐ Missouri Department of Revenue
- ☐ _____ County Sheriff's Dept.
- ☐ _____ Municipal Police Dept.
- ☐ Other (include name and address of agency) _____

Judgment and Order of Expungement – Section 610.140, RSMo.

On _____ (date), the court finds as follows:

1. That the appropriate amount of time has lapsed since the arrest, and/or completion of the authorized disposition imposed for each offense for which Petitioner is asking to have expunged; it has been at least seven years for any felony offense or least three years for any misdemeanor, infraction, or ordinance violation;
2. That Petitioner has not been found guilty of any other misdemeanor or felony, not including violations of the traffic regulations provided under chapters 304 and 307, RSMo, during the time period specified for the underlying offense, violation, or infraction;
3. That Petitioner has satisfied all obligations relating to any such disposition, including the payment of any fines or restitution;
4. That Petitioner does not have any charges pending;
5. That Petitioner's habits and conduct demonstrate that the petitioner is not a threat to the public safety of the state; and
6. That the expungement is consistent with the public welfare and the interests of justice warrant the expungement.

The court further finds the petitioner in the above titled cause is entitled to an expungement pursuant to section 610.140, RSMo, of the arrest, plea, trial, or conviction record(s) specified below in this Judgment.

Therefore, it is so Ordered:

Petitioner's records related to the arrest, plea, trial, or conviction record(s) specified herein are hereby expunged. The court orders each agency identified in the petition to close the arrest, plea, trial, or conviction record(s) of the petitioner specified below:

_____

_____

_____

_____

_____

_____

Any records maintained by the courts or administrative agency shall be maintained as confidential records under section 610.120, RSMo, and available only to the parties or by order of court for good cause shown. A copy of this order shall be sent to the agencies identified in the petition which may have records related to Petitioner's arrest, plea, trial, or conviction record(s). The central repository shall request the Federal Bureau of Investigation to expunge the records from its files.

_____ Date

_____ Judge

IN THE _____ JUDICIAL CIRCUIT, _____, MISSOURI

Judge or Division:	**Case Number:**
Defendant's Name, Alias(es)/Address:	DOB:
	SSN:
Offense Charge Code(s) and Description(s) / Charge Level(s) / Offense Date: ORI and Name of Originating Arresting Agency:	(Date File Stamp)

Order for Fingerprinting

Now on _____ (date), the Court, having concluded that the Defendant has not previously been fingerprinted for an offense reportable under section 43.503.6, RSMo, hereby orders Defendant to report immediately to the _____ Department for fingerprinting. The Defendant is ordered to submit to the fingerprinting, and is further ordered to provide all information necessary for the officer taking the fingerprints to fully complete all identification and photograph portions of the standard fingerprint cards.

_____
Judge

Return

The _____ Department hereby confirms that the Defendant appeared and was fingerprinted pursuant to the court's order on _____ (date).

The State Criminal Fingerprint card bearing OCN _____ will be submitted to the Missouri Central Records Repository within thirty (30) days.

_____
Deputy/Officer

LAWFUL ENFORCEMENT OF LEGAL FINANCIAL OBLIGATIONS
A BENCH CARD FOR JUDGES

Courts may not incarcerate a defendant/respondent, or revoke probation, for nonpayment of a court-ordered legal financial obligation unless the court holds a hearing and makes one of the following findings:

1. The failure to pay was not due to an inability to pay, but was willful or due to failure to make bona fide efforts to pay; or
2. The failure to pay was not the fault of the defendant/respondent and alternatives to imprisonment are not adequate in a particular situation to meet the State's interest in punishment and deterrence.

If a defendant/respondent fails to pay a court-ordered legal financial obligation but the court, after opportunity for a hearing, finds that the failure to pay was not due to the fault of the defendant/respondent, but rather due to lack of financial resources, the court should consider alternative measures of punishment rather than incarceration. *Bearden v. Georgia,* 461 U.S. 660, 667-669 (1983); *State ex rel. Fleming v. Mo. Bd. of Prob. & Parole,* 515 S.W.3d 224 (Mo. banc 2017). Punishment and deterrence can often be served fully by alternative means to incarceration, including an extension of time to pay, reduction of the amount owed, or community service. *Bearden*, 461 U.S. at 671.

Court-ordered legal financial obligations (LFOs) include all discretionary and mandatory fines, costs, fees, state assessments, and/or restitution in civil and criminal cases.

1. Adequate Notice of the Hearing to Determine Ability to Pay[1]

Notice should include the following information:

a. Hearing date and time;
b. Total amount claimed due;
c. That the court will evaluate the person's ability to pay at the hearing;
d. That the person should bring any documentation or information the court should consider in determining ability to pay;
e. That incarceration may result only if alternate measures are not adequate to meet the State's interests in punishment and deterrence or the court finds that the person had the ability to pay and willfully refused;
f. Right to counsel*; and
g. That a person unable to pay can request payment alternatives, including, but not limited to, community service and/or a reduction of the amount owed.

2. Meaningful Opportunity to Explain at the Hearing[2]

The person must have an opportunity to explain:

a. Whether the amount charged as due is incorrect; and
b. The reason(s) for any nonpayment (e.g., inability to pay).

3. Factors the Court Should Consider to Determine Willfulness[3]

a. Income, including whether income is at or below 125% of the Federal Poverty Guidelines (FPG)[4]

For 2016, 125% of FPG is:	
$14,850 for an individual;	$30,375 for a family of 4;
$20,025 for a family of 2;	$35,550 for a family of 5;
$25,200 for a family of 3;	$40,725 for a family of 6.

b. Receipt of needs-based, means-tested public assistance, including, but not limited to, Temporary Assistance for Needy Families (TANF), Supplemental Security Income (SSI), Social Security Disability Insurance (SSDI), or veterans' disability benefits(Such benefits are not subject to attachment, garnishment, execution, levy, or other legal process);

[1] Rule 37.65(b)(c); Rule 36.01(b); section 558.006 RSMo (formerly section 560.031 RSMo).
[2] Section 479.360.1(4); Rule 37.04, Appendix "A," Minimum Operating Standard #2.
[3] See *Bearden v. Georgia,* 461 U.S. 660 (1983); *State ex rel. Fleming v. Mo. Bd. of Prob. & Parole,* 515 S.W.3d 224 (Mo. banc 2017).
[4] U.S. Dep't of Health & Human Servs., Poverty Guidelines, Jan. 26, 2016, (https://aspe.hhs.gov/poverty-guidelines).

c. Financial resources, assets, financial obligations, and dependents;
d. Whether the person is homeless, incarcerated, or resides in a mental health facility;
e. Basic living expenses, including, but not limited to, food, rent/mortgage, utilities, medical expenses, transportation, and child support;
f. The person's efforts to acquire additional resources, including any permanent or temporary limitations to secure paid work due to disability, mental or physical health, homelessness, incarceration, lack of transportation, or driving privileges;
g. Other LFOs owed to the court or other courts;
h. Whether LFO payment would result in manifest hardship to the person or his/her dependents; and
i. Any other special circumstances that may bear on the person's ability to pay.

4. Findings by the Court

The court should find, on the record and/or by docket entry, that the person was provided prior adequate notice of:

a. Hearing date/time;
b. Failure to pay an LFO is at issue;
c. The right to counsel*;
d. The defense of inability to pay;
e. The opportunity to bring any documents or other evidence of inability to pay; and
f. The opportunity to request an alternative sanction to payment or incarceration.

After the ability to pay hearing, the court should also find on the record that the person was given a meaningful opportunity to explain the failure to pay.

If the Court determines that incarceration must be imposed, the Court should make findings about:

1. The financial resources relied upon to conclude that nonpayment was willful;[5] or
2. If the defendant/respondent was not at fault for nonpayment, why alternate measures are not adequate, in the particular case, to meet the State's interest in punishment and deterrence.[6]

Alternative Sanctions to Imprisonment That Courts Should Consider When There is an Inability to Pay[7]

a. Reduction of the amount due;
b. Extension of time to pay;
c. A reasonable payment plan or modification of an existing payment plan;
d. Credit for community service (*Caution*: Hours ordered should be proportionate to the violation and take into consideration any disabilities, driving restrictions, transportation limitations, and caregiving and employment responsibilities of the individual);
e. Credit for completion of a relevant, court-approved program (e.g., education, job skills, mental health or drug treatment); or
f. Waiver or suspension of the amount due.

*Case law establishes that the U.S. Constitution affords indigent persons a right to court-appointed counsel in most post-conviction proceedings in which the individual faces actual incarceration for nonpayment of a legal financial obligation, or a suspended sentence of incarceration that would be carried out in the event of future nonpayment, even if the original sanction was only for fines and fees. *See Best Practices for Determining the Right to Counsel in Legal Financial Obligation Cases*.

[5] See, for example, *State v. Jackson,* 610. S.W.2d 420 (Mo. App. 1980).

[6] *Bearden,* 461 U.S. at 672, *Fleming,* 515 S.W.3d at 232.

[7] Section 479.360.1 (8)(9) RSMo; Rule 37.04, Appendix "A," Minimum Operating Standard #2, #4; section 558.006 RSMo (formerly section 560.031 RSMo).

Related Links

American Association of Motor Vehicle Administrators	http://www.aamva.org
Case.net	http://www.courts.mo.gov/casenet/base/welcome.do
Federal Register Main Page	http://www.gpoaccess.gov
FedLaw	http://www.thecre.com/fedlaw/default.htm
FMCSA - Federal Motor Carrier Safety Administration	http://www.fmcsa.dot.gov
LII U.S. Code Home	http://www.law.cornell.edu/uscode
Missouri Code of State Regulations (CSR)	http://www.sos.mo.gov/adrules/csr/csr.asp
Missouri Department of Revenue	http://www.dor.mo.gov
Missouri Register - 2013 Issues	http://www.sos.mo.gov/adrules/moreg/moreg.asp
Missouri Revised Statutes	http://www.moga.mo.gov
National Center for State Courts	http://www.ncsc.org
NHTSA - National Highway Traffic Safety Administration	http://www.nhtsa.dot.gov
Reference Center and General Government, on USA.gov	http://www.usa.gov
THOMAS (Library of Congress)	http://thomas.loc.gov
United States Code Main Page	http://www.gpoaccess.gov

https://www.courts.mo.gov/file.jsp?id=1764