

FIRST REGULAR SESSION

SENATE BILL NO. 164

90TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR KENNEY.

Pre-filed December 9, 1998, and 1,000 copies ordered printed.

TERRY L. SPIELER, Secretary.

S0581.011

AN ACT

To repeal section 302.321, RSMo Supp. 1998, relating to drivers' licenses, and to enact in lieu thereof one new section relating to the same subject, with penalty provisions and an emergency clause.

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

Section A. Section 302.321, RSMo Supp. 1998, is repealed and one new section enacted in lieu thereof, to be known as section 302.321, to read as follows:

302.321. 1. A person commits the crime of driving while revoked if he operates a motor vehicle on a highway when his license or driving privilege has been canceled, suspended or revoked under the laws of this state and acts with criminal negligence with respect to knowledge of the fact that his driving privilege has been canceled, suspended or revoked.

2. Driving while revoked is a class A misdemeanor **on the first or second conviction**. No court shall suspend the imposition of sentence as to such a person nor sentence such person to pay a fine in lieu of a term of imprisonment, nor shall such person be eligible for parole or probation until he has served a minimum of forty-eight consecutive hours of imprisonment, unless as a condition of such parole or probation, such person performs at least ten days involving at least forty hours of community service under the supervision of the court in those jurisdictions which have a recognized program for community service. **Driving while revoked is a class D felony on the third or subsequent conviction.**

Section B. Because immediate action is necessary to protect the citizens of this state from repeat traffic offenders, this act is deemed necessary for the immediate preservation of the public health, welfare, peace and safety, and is hereby declared to be an emergency act within the meaning of the constitution, and this act shall be in full force and effect upon its passage and

approval.

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Unofficial

Bill

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