

Traffic Bench Guide



August 2006
2nd Edition

Foreword

This year, as in recent years, there have been a number of legislative changes that affect traffic offenses. Among others, there have been significant changes in the severity of violations for CDL and alcohol related offenses.

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

2006 Editorial Board

Judge Jeffrey Bushur
Courthouse Annex
308 W. Kansas
Independence, MO 64050
(816) 881-1783

Judge Ralph Haslag
Phelps County Courthouse
200 North Main
Rolla, Missouri 65402-1550
(573) 364-1891

Judge Bill Wegge
Jefferson County Courthouse
P.O. Box 100
Hillsboro, Missouri 63050
(636) 797-5365

Judge John Clayton
Maries County Courthouse
P.O. Box 490
Vienna, MO 65582
(573) 422-3303

Judge John Waters
Christian County Courthouse
110 West Elm, Room 105
Ozark, MO 65721
(417) 581-4523

Additional assistance provided by:

Ms. Waylene Wilhoit-Hiles
Missouri Dept. of Revenue
301 West High Street
Jefferson City, Missouri 65101
(573) 751-2580

Office of State Courts Administrator
2112 Industrial Dr.
P.O. Box 104480
Jefferson City, MO 65110
(573) 751-4377

For additional copies, contact the Office of State Courts Administrator at the above address or by phone.

This Traffic Bench Guide was made possible by a grant from the Missouri Department of Transportation, Division of Highway Safety under contract number 06-PT-02-84.

Explanation of Terms

ROC?		Indicates that the record of conviction is reportable to DOR
FCC		Fine Collection Center
CDL		Commercial Drivers License impact. <i>See</i> CDL section for impact of serious traffic violation

Fines for Misdemeanors and Infractions

For a class A misdemeanor		up to one thousand dollars;
For a class B misdemeanor		up to five hundred dollars;
For a class C misdemeanor		up to three hundred dollars;
For an infraction		up to two hundred dollars.

Authorized Terms of Imprisonment

For a class A felony		a term of years not less than ten years and not to exceed thirty years, or life imprisonment;
For a class B felony		a term of years not less than five years and not to exceed fifteen years;
For a class C felony		a term of years not to exceed seven years;
For a class D felony		a term of years not to exceed four 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.

2006 Traffic Bench Guide

STATUTE	TYPE/ CLASS		CHARGE CODE	DESCRIPTION	ROC?	POINTS	SPECIAL PENALTIES / CIRCUMSTANCES	FCC Fine	CDL
43.170	Misd	A	27080__._	Willfully resists/opposes a member of the patrol in the proper discharge of duties	N				
43.170	Misd	A	2709099.0	Failed to stop or obey reasonable signal direction of hwy patrolman	Y	2			
43.405	Misd	A	2707003._	Making false report of missing children	N				
43.600	Misd	B	2701503._	Filing false report on highway patrol emergency telephone system	N				
142.830	Misd	A	4601006.0	Operated as an inter-state motor fuel user without being licensed as such	N				
142.869	Infr		4600806.0	Operate mtr veh required to have alternative fuel decal upon hwy without valid decal	N				
142.869	Infr		4601606.0	Put/cause to be put alternative fuel into mtr veh on which no alternative fuel decal is attached	N				
142.869	Infr		4601706.0	Seller of alternative fuel fail to prop record sale of alternative fuel put in veh display alternative fuel decal	N				
142.869	Infr		3711902._	Violate provisions of Sec 142.869 re alternative fuel decal	N				
142.905	Misd	A	3711702._	Motor vehicle fuel tax evasion	N		License revocation		
142.914	Misd	A	3711202._	Motor vehicle fuel transportation ofns - 2nd and subsequent ofns	N				
142.914	Misd	B	3711802._	Motor vehicle fuel transportation ofns	N				
142.923	Misd	A	3711302._	Sell/use/deliver/store/import for sale/use/delivery/storage motor fuel when no tax pd	N		Seizure and impoundment of vehicle and cargo		
142.929	Misd	A	3711402._	Violation of importation of fuel laws	N		1st offense - fine only		
142.932	Misd	A	3711502._	Evasion of tax related to motor fuel with dye	N				
142.944	Misd	A	3711602._	Refusing inspection of motor fuel records in order to evade tax	N		A civil penalty of \$5,000 shall be imposed in addition to crim. Penalty		
226.720	Misd		4887506.0	Unscreened junkyards near state and county roads prohibited	N				
229.150	Misd		4807506.0	Obstructed/damaged/changed location of public road (willfully or knowingly)	N		Fine \$5 - \$200 – 6 months jail		
229.210	Misd		4736005.0	Drove on bridge/hwy under construction/improvement that was closed by barriers	Y	2	Fine \$5 - \$100 – only		
253.155	Misd		5471099.0	Operating a motor veh in a non-designated area in a state park	Y	2			
253.160	Misd		5600405.0	Exceeded the speed limit in a state park	N	3			Will count as serious traffic violation if speed is 15 MPH or more over speed limit
269.020	Misd		3604299._	Violating provisions regarding disposal of dead animals	N		Civil penalty of up to \$1,000 may be imposed		

2006 Traffic Bench Guide

STATUTE	TYPE/ CLASS	CHARGE CODE	DESCRIPTION	ROC?	POINTS	SPECIAL PENALTIES / CIRCUMSTANCES	FCC Fine	CDL
571.030	Misd B	31035__._	Unlawful use of a weapon (subsec 6, 7 & 8)	N				

2006 Traffic Bench Guide

STATUTE	TYPE/ CLASS	CHARGE CODE	DESCRIPTION	ROC?	POINTS	SPECIAL PENALTIES / CIRCUMSTANCES	FCC Fine	CDL
301.010	Misd		4918699.0 Local log truck trailer more than two axles	N			\$30.50	
301.010	Misd		4917006.0 Violate provisions of Sec 301.010(26) regarding local log truck	N			\$30.50	
301.010	Misd		4917506.0 Violate provisions of Sec 301.010(27) regarding local log truck tractor	N			Calculated Wt. Fine	
301.020	Misd	B	4601906.0 Failure to register mtr veh	N		DOR late filing penalty will apply when registration occurs	\$30.50	
301.020	Misd	B	4602006.0 Lien holder failed to surrender title of reconstructed vehicle to DOR	N			\$30.50	
301.020	Misd	B	4602106.0 Fail to register out-of-state registered veh/trl in MO when MO resident	N		DOR late filing penalty will apply when registration occurs	\$30.50	
301.020	Misd	B	4602406.0 Fail to register comm property carrying vehicle for sufficient gross weight	N			\$30.50	
301.020	Misd	B	4602706.0 Fail to register comm passenger carrying vehicle for the seating capacity	N			\$30.50	
301.020	Misd	B	4603006.0 Fail to register comm property/passenger carrying veh for beyond local oper	N			\$30.50	
301.020	Misd	B	4603306.0 Fail to register veh as comm mtr veh when veh is so designed/const/modified	N			\$30.50	
301.041	Misd	A	4603106.0 Fail to display registration plate on comm mtr veh	N			\$30.50	
301.074	Misd		4603606.0 Fail to furnish annual proof of veh inspec and disability to DOR when issued a disabled vet license	N		Fine \$5-\$500; 1yr jail max.	\$20.50	
301.130	Misd		4603906.0 Fail to display plates on mtr veh/trl	N			\$30.50	
301.130	Misd		4604206.0 Fail to properly affix/fasten to or maintain motor vehicle/trailer plates	N			\$30.50	
301.130	Misd		4604506.0 Fail to properly affix/display tab on motor vehicle license plate	N			\$30.50	
301.131	Misd		4604806.0 Displayed historic plates when vehicle used for purposes other than exhibition/education	N			\$30.50	
301.131	Misd	C	4604906.0 Exceeded 1000 miles personal use of historic motor vehicle	N		Plates revoked upon conviction.	\$30.50	
301.131	Misd	C	4605006.0 Historic motor vehicle owner failed to maintain mileage log	N		Plates revoked upon conviction.	\$30.50	
301.133	Misd		4605106.0 Oper unlicensed self-propelled construction eqmt on Saturday/Sunday/legal holiday	N		Fine \$5-\$500; 1yr jail max.	\$20.50	
301.140	Misd		4604306.0 Displayed/possessed mtr veh/trl plates of another person	N		Fine \$5-\$500; 1yr jail max.	\$80.50	

2006 Traffic Bench Guide

STATUTE	TYPE/ CLASS	CHARGE CODE	DESCRIPTION	ROC?	POINTS	SPECIAL PENALTIES / CIRCUMSTANCES	FCC Fine	CDL
301.140	Misd		4604606.0 Failure to transfer plates of vehicle within 30 days	N		Fine \$5-\$500; 1yr jail max.	\$30.50	
301.141	Misd	B	1950199.0 Physician or other health care practitioner falsely verify/certify a disability for a license plate	N			Not FCC	
301.141	Misd	B	4606206.0 Fraudulently obtain or use a disabled person license plate or windshield placard	N			\$80.50	
301.142	Misd	A	4606499.0 Fraudulent appl/renew/issue of disabled person license plate or windshield placard	N			Not FCC	
301.142	Misd	B	4606706.0 Fail to return handicap license plate/windshield placard of deceased person	N			\$55.50	
301.143	Misd	B	4607406.0 Use handicap license/placard without authorization	N			\$55.50	
301.143	Infr		4888006.0 Parking in a handicapped zone	N			\$20.50	
301.150	Misd	C	4605506.0 Failed to remove monthly series license plate on sale and or transfer of vehicle ownership	N			\$20.50	
301.170	Misd		4605706.0 Displayed in-transit tags on mtr veh/trl not being delivered from mfg/dlr to dealer	N		Fine \$5-\$500; 1yr jail max.	\$30.50	
301.170	Misd		4606006.0 Failed to insert correct date/place of issue and destination on in-transit tags	N		Fine \$5-\$500; 1yr jail max.	\$30.50	
301.190	Misd		4606306.0 Operated mtr veh/trl that no title has been issued for by DOR since veh was acquired/built	N		Fine \$5-\$500; 1yr jail max.	\$80.50	
301.190	Misd		4620606.0 Fail to collect fee ID/OD verification	N		Fine \$5-\$500; 1yr jail max.	\$30.50	
301.198	Misd	C	4608006.0 Knowingly submit false information about transfer of a vehicle	N			\$130.50	
301.198	Misd	C	4609806.0 Fraudulently fail to submit notice of transfer	N			\$130.50	
301.198	Infr		4610006.0 Fail to submit notice of transfer	N		Fine \$5-\$500; 1yr jail max.	\$30.50	
301.200	Misd		4606906.0 Dealer failed to deliver bill of sale on prescribed form	N		Fine \$5-\$500; 1yr jail max.	\$30.50	
301.210	Misd		4606806.0 Sell/purchase mtr veh or trailer registered in this state w/o transferring certificate of ownership	N		Fine \$5-\$500; 1yr jail max.	\$30.50	
301.210	Misd		4607006.0 Failure to deliver/receive certificate of ownership upon sale/transfer of ownership of motor vehicle/trailer	N		Fine \$5-\$500; 1yr jail max.	\$30.50	
301.218	Misd	A	4638006.0 Conducted business of selling used motor vehicle parts w/o license from DOR	N			Not FCC	
301.218	Misd	A	4638106.0 Conducted motor vehicle salvage business without license from DOR	N			Not FCC	
301.218	Misd	A	4638206.0 Conduct business of reblding/repair 4 or more wrecked/dismantled veh in calendar yr w/o license from DOR	N			Not FCC	
301.218	Misd	A	4638306.0 Conducted mobil business of scrapping vehs/parts for metal w/o license from DOR	N			Not FCC	
301.218	Misd	A	4638406.0 Operator of salvage pool sold veh to person not licensed as salvage dealer	N			Not FCC	

2006 Traffic Bench Guide

STATUTE	TYPE/ CLASS		CHARGE CODE	DESCRIPTION	ROC?	POINTS	SPECIAL PENALTIES / CIRCUMSTANCES	FCC Fine	CDL
301.218	Misd	A	4638506.0	Salvage pool operator failed to maintain proper record of vehicle sales	N			Not FCC	
301.225	Misd	A	4639006.0	Business selling used vehicle parts failed to maintain records/open for inspection	N			Not FCC	
301.225	Misd	A	4639106.0	Business salvaging vehs failed to maintain records/open records for inspection	N			Not FCC	
301.225	Misd	A	4639206.0	Business rebuilding vehs failed to maintain records/open records for inspection	N			Not FCC	
301.225	Misd	A	4639306.0	Scrap metal processor failed to maintain records/open records for inspection	N			Not FCC	
301.227	Misd	A	4639606.0	Scrap metal operator acquired mtr veh/ parts w/o receiving title	N			Not FCC	
301.227	Misd	A	4639706.0	Scrap metal operator failed to forward title to DOR within 10 days	N			Not FCC	
301.227	Misd	A	4639806.0	Scrap metal operator failed to maintain proper records	N			Not FCC	
301.266	Misd	A	4609106.0	Operated vehicle for hire/carried load while operation under a hunter's permit	N			\$130.50	
301.271	Misd		4608406.0	Failed to register nonresident commercial motor vehicle (no reciprocal agreement)	N		Fine \$5-\$500; 1yr jail max.	\$130.50	
301.275	Misd		4608706.0	Operated comm mtr veh while reg revoked by MO HRC for failure to pay fees	N		Fine \$5-\$500; 1yr jail max.	\$130.50	
301.277	Misd		4609006.0	Failed to register nonresident comm mtr veh (reciprocal agreement)	N		Fine \$5-\$500; 1yr jail max.	\$130.50	
301.280	Misd		4607206.0	Dealer failed to make prescribed monthly report to MO Motor Vehicle Commission	N		Fine \$5-\$500; 1yr jail max.	Not FCC	
301.280	Misd		4607506.0	Dealer/public garage operator failed to keep correct record of vehicle accepted	N		Fine \$5-\$500; 1yr jail max.	Not FCC	
301.300	Misd		4609306.0	Failed to file for duplicate mtr veh/trl plate/tab/certificate of ownership within 5 days of loss/mutilation	N		Fine \$5-\$500; 1yr jail max.	\$30.50	
301.310	Misd		4611806.0	Failure to surrender mutilated or worn plate (for which duplicate has been issued) to DOR	N		Fine \$5-\$500; 1yr jail max.	\$30.50	
301.320	Misd		4609606.0	Displayed unlawful plate/placard on mtr veh/trl	N		Fine \$5-\$500; 1yr jail max.	\$30.50	
301.330	Misd		4609906.0	Failed to display name/address and gross weight on commercial motor vehicle	N		Fine \$5-\$500; 1yr jail max.	\$30.50	
301.380	Misd		4620806.0	Failure to collect fee for homemade trailer verification	N		Fine \$5-\$500; 1yr jail max.	\$30.50	
301.420	Misd		4610406.0	Made false statement in ownership/registration/application/ownership agreement	N		Fine \$5-\$500; 1yr jail max.	\$130.50	
301.559	Misd	A	5412199_	Failure of a motor vehicle dealer/manufacturer - boat dealer/manufacturer to obtain a license - 1st ofns	N		Second offense D Felony	Not FCC	
301.560	Misd		4608906.0	Display boat dlr plts on vessel/vessel trailr hired, loaned to others or upon reg used serv vessel/ vessel trlr	N			\$30.50	

2006 Traffic Bench Guide

STATUTE	TYPE/ CLASS		CHARGE CODE	DESCRIPTION	ROC?	POINTS	SPECIAL PENALTIES / CIRCUMSTANCES	FCC Fine	CDL
301.563	Misd	B	5412299._	Refusal of subpoena from DOR - refusal to be sworn - produce evidence	N			Not FCC	
301.570	Misd	A	4608806.0	Sale of seven or more motor vehicles in calendar year without being registered as motor vehicle dealer	N			Not FCC	
301.620	Misd	A	4617599._	Failure to name lienholder in application for title	N			Not FCC	
301.703	Misd		4708906.0	Failure to obtain certificate of ownership for ATV	N			\$20.50	
301.707	Misd		4710105.0	Operating unregistered ATV	N			\$20.50	

2006 Traffic Bench Guide

STATUTE	TYPE/ CLASS	CHARGE CODE	DESCRIPTION	ROC?	POINTS	SPECIAL PENALTIES / CIRCUMSTANCES	FCC Fine	CDL
302.020	Misd	A	4660806.0	Operated vehicle on hwy without valid license - 1st or 2nd ofns	Y	2 4 6	\$80.50	No action beyond points.
302.020	Misd	A	4661406.0	Operate motorcycle when driver's license not valid for such operation-1st/2nd ofns	Y	2 4	80.5	No action beyond points.
302.020	Misd	C	4662006.0	Permitted unvalidated licensee to operate motorcycle	Y	4	\$30.50	No action beyond points.
302.020	Infr		4736406.0	Failed to wear protective/approved headgear when on motorcycle in motion	Y	0	Fine \$0-\$25; no costs may be assessed \$25.00	No action beyond points.
302.175	Misd		4736606.0	Failed to comply with condition of restricted drivers license (for vision)	Y	2	\$30.50	No action beyond points.
302.178	Infr		4661806.0	Violate provisions of Sec's 302.130 or 302.178 re intermediate driver's license or temp instruction permit	Y	0	\$30.50	
302.200	Misd		4662306.0	Operated motor veh without obtaining new driver's license after being revoked/suspended	Y	12	SIS prohibited; 48 hrs. incarceration mandatory unless ct. orders at least 10 days CS, totaling 40 hrs or more Not FCC	
302.220	Misd	A	4662706.0	Display or possess fictitious-canceled /suspended/ revoked/alterd drivers license	Y	2	Not FCC	If comitted while operating mtr veh
302.220	Misd		4663006.0	Represented the drivers lic of another person to be his/hers	Y	2	Not FCC	If comitted while operating mtr veh
302.220	Misd		4663506.0	Loaned drivers lic to another person	Y	0	Not FCC	
302.220	Misd		4664006.0	Provided fraudulent information in application for drivers lic	Y	12	Not FCC	
302.230	Misd	A	4660306.0	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 Not FCC	
302.233	Misd	A	1950599.0	Commits/assists another in committing fraud/deception during license examination	Y	12	Not FCC	
302.233	Misd	A	1950799.0	Knowingly conceal/provide false info/commit fraud in application for license/permit	Y	12	Not FCC	
302.250	Misd		4664506.0	Caused or knowingly permitted child or ward under age 16 to drive mtr veh	Y	4	\$30.50	No action beyond points.
302.260	Misd		4665006.0	Authorized or knowingly permitted person to drive mtr veh who had no legal right	Y	4	\$30.50	
302.272	Misd	A	4669606.0	Operate school bus w/o a school bus endorsement (<i>Effective date Sept. 30, 2005</i>)	Y	2	\$80.50	Serious traffic offense
302.275	Infr		4660206.0	Knowingly fail to prov DOR w/in 10 days the notifictn req of a bus driver who failed to pass drug/alcohol test	N		Not FCC	

2006 Traffic Bench Guide

STATUTE	TYPE/ CLASS	CHARGE CODE	DESCRIPTION	ROC?	POINTS	SPECIAL PENALTIES / CIRCUMSTANCES	FCC Fine	CDL	
302.276	Misd	A	4660406.0	Oper school bus while endorsement suspended (suspended for fail to pass drug/alcohol/chem test)	Y	12	May also be prosecuted under section 302.727 since most school busses are CMVs.	Not FCC	Same penalty as provided in 302.321
302.291	Misd	A	5411399._	Knowingly violates confidentiality provision related to incompetent/unqualified driver/files false rept	N			Not FCC	
302.301	Misd	C	4736906.0	Failed to comply with conditions of restricted drivers license (for physical infirmity)	Y	2		\$30.50	No action beyond points.
302.321	Misd	A	4661206.0	Oper mtr veh on hwy while driver lic/priv revoked (revoked for assisting w/license applctn fraud)	Y	12	SIS prohibited; 48 hrs incar. Mandatatory unless ct. orders at least 10 days CS totaling at 40 hrs	Not FCC	1 year disqualification
302.321	Misd	A	4661706.0	Oper mtr veh on hwy w/driver lic/priv revoked (revoked-fail to stop for school bus)	Y	12	SIS prohibited; 48 hrs incar. Mandatatory unless ct. orders at least 10 days CS totaling at 40 hrs	Not FCC	1 year disqualification
302.321	Misd	A	4666106.0	Operated motor vehicle on highway while driving license/privilege revoked (revoked for abuse and lose law)	Y	12	SIS prohibited; 48 hrs incar. Mandatatory unless ct. orders at least 10 days CS totaling at 40 hrs	Not FCC	1 year disqualification
302.321	Misd	A	4666206.0	Oper mtr veh on hwy while driver license/privilege revkd (revkd for points/fail to submit to chem test)	Y	12	SIS prohibited; 48 hrs incar. Mandatatory unless ct. orders at least 10 days CS totaling at 40 hrs	Not FCC	1 year disqualification
302.321	Misd	A	4667306.0	Operated motor vehicle on highway while drivers license/privilege revoked (suspended for points)	Y	12	SIS prohibited; 48 hrs incar. Mandatatory unless ct. orders at least 10 days CS totaling at 40 hrs	Not FCC	1 year disqualification
302.321	Misd	A	4667406.0	Drove mtr veh on hwy while drivers lic suspended for improprieties in compact state	Y	12	SIS prohibited; 48 hrs incar. Mandatatory unless ct. orders at least 10 days CS totaling at 40 hrs	Not FCC	1 year disqualification
302.321	Misd	A	4667506.0	Oper mtr veh while suspended or revkd after failing examination/failing to submit to exam required by DOR	Y	12	SIS prohibited; 48 hrs incar. Mandatatory unless ct. orders at least 10 days CS totaling at 40 hrs	Not FCC	1 year disqualification
302.321	Misd	A	4667806.0	Oper mtr veh on hwy while driver license/priv revkd (suspnd for nonappear/nonpayment of court fine/costs)	Y	12	SIS prohibited; 48 hrs incar. Mandatatory unless ct. orders at least 10 days CS totaling at 40 hrs	Not FCC	1 year disqualification

2006 Traffic Bench Guide

STATUTE	TYPE/ CLASS	CHARGE CODE	DESCRIPTION	ROC?	POINTS	SPECIAL PENALTIES / CIRCUMSTANCES	FCC Fine	CDL	
302.321	Misd	A	4667906.0	Oper mtr veh on hwy while driver lic/priv revkd (susnd for non-payment of child support- 454.1000 - 454.1018)	Y	12	SIS prohibited; 48 hrs incar. Mandatortory unless ct. orders at least 10 days CS totaling at 40 hrs	Not FCC	1 year disqualification
302.321	Misd	A	4668606.0	Driving while revoked (suspended for stealing motor fuel as per Sec 302.286)	Y	12	SIS prohibited; 48 hrs incar. Mandatortory unless ct. orders at least 10 days CS totaling at 40 hrs	Not FCC	1 year disqualification
302.321	Misd	A	4668806.0	Oper mtr veh on hwy while driver license/privilege revoked (revoked for prob cause of .08% and zero tolerance)	Y	12	SIS prohibited; 48 hrs incar. Mandatortory unless ct. orders at least 10 days CS totaling at 40 hrs	Not FCC	1 year disqualification
302.321	Misd	A	4669006.0	Oper mtr veh on hwy while driver lic/priv revkd (susnd for prob cause of .08% BAC and zero tolerance)	Y	12	SIS prohibited; 48 hrs incar. Mandatortory unless ct. orders at least 10 days CS totaling at 40 hrs	Not FCC	1 year disqualification
302.321	Misd	A	4669806.0	Operated mtr veh on hwy while driver's license/priv revoked (canceled/suspended/revoked for unknown reasons)	Y	12	SIS prohibited; 48 hrs incar. Mandatortory unless ct. orders at least 10 days CS totaling at 40 hrs	Not FCC	1 year disqualification
302.725	Misd	A	4670006.0	Drive comm mtr veh without comm driver's license in possession <i>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.</i>	Y	2	SIS prohibited; 48 hrs incar. Mandatortory unless ct. orders at least 10 days CS totaling at 40 hrs	Not FCC	Serious traffic offense
302.725	Misd	A	4670306.0	Drive comm mtr veh without proper class of license/endorsement	Y	2	SIS prohibited; 48 hrs incar. Mandatortory unless ct. orders at least 10 days CS totaling at 40 hrs	Not FCC	Serious traffic offense
302.725	Misd	A	4670506.0	Drive comm mtr veh without comm mtr veh driver's license	Y	2	SIS prohibited; 48 hrs incar. Mandatortory unless ct. orders at least 10 days CS totaling at 40 hrs	Not FCC	Serious traffic offense
302.725	Misd	A	4670706.0	Violate operator's license restriction while operating a comm mtr veh	Y	2	SIS prohibited; 48 hrs incar. Mandatortory unless ct. orders at least 10 days CS totaling at 40 hrs	Not FCC	Serious traffic offense

2006 Traffic Bench Guide

STATUTE	TYPE/ CLASS	CHARGE CODE	DESCRIPTION	ROC?	POINTS	SPECIAL PENALTIES / CIRCUMSTANCES	FCC Fine	CDL	
302.727	Misd	A	4671406.0	Drive comm mtr veh while driver is disqualified from operating a comm mtr vehicle	Y	2	SIS prohibited; 48 hrs incar. Mandatortory unless ct. orders at least 10 days CS totaling at 40 hrs	Not FCC	1 year disqualification
302.727	Misd	A	4671606.0	Drive comm mtr veh while comm mtr veh license is revoked, suspended or cancelled	Y	12	SIS prohibited; 48 hrs incar. Mandatortory unless ct. orders at least 10 days CS totaling at 40 hrs	Not FCC	1 year disqualification
302.755	Misd	A	4841106.0	Violated an out-of-service order while transporting hazardous materials (1st ofns)	Y	2	driver/employer subject to civil penalty	\$130.50	180 day disqualification
302.755	Misd	A	4841206.0	Violated an out-of-service order while transporting hazardous materials (2nd and subsequent ofns)	Y	2	driver/employer subject to civil penalty	Not FCC	3 year disqualification
302.755	Misd	A	4841706.0	Viol out-of-service ordr while oper mtr veh desgnd to transprt > 16 passengers includ driver-1st ofns	Y	2	driver/employer subject to civil penalty	\$130.50	180 day disqualification
302.755	Misd	A	4841806.0	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 FCC	3 year disqualification
302.755	Misd	A	4949506.0	Oper commercial mtr veh beginning at issuance of order until it expires (1st ofns)	Y	2	driver/employer subject to civil penalty	\$130.50	90 day disqualification
302.755	Misd	A	4949706.0	Oper commercial mtr veh beginning at issuance of order until it expires (2nd ofns)	Y	2	driver/employer subject to civil penalty	Not FCC	1 year disqualification
302.755	Misd	A	4949906.0	Oper commercial mtr veh beginning at issuance of order until it expires (3rd/subsequent ofns)	Y	2	driver/employer subject to civil penalty	Not FCC	3 year disqualification
302.780	Misd		4748505.0	Drove comm vehicle with willful/wanton disregard for safety	Y	2		\$130.50	Serious traffic offense
302.780	Misd		4749004.0	Drive comm motor vehicle/BAC over .04%	Y	2		Not FCC	1 year disqualification
302.780	Misd		4749503.0	Drove comm motor vehicle under influence of controlled substance	Y	8		Not FCC	1 year disqualification

2006 Traffic Bench Guide

STATUTE	TYPE/ CLASS		CHARGE CODE	DESCRIPTION	ROC?	POINTS	SPECIAL PENALTIES / CIRCUMSTANCES	FCC Fine	CDL
303.025	Misd	C	4683506.0	As owner, oper or auth another to oper a mtr veh w/out maintain financl respons (mtr veh reqrd to be reg)	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 susp of DL; 2) 4 pt conviction; or 3) Order of supervision in lieu of points	Not FCC	
303.025	Misd	C	4683706.0	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 susp of DL; 2) 4 pt conviction; or 3) Order of supervision in lieu of points	Not FCC	
303.040	Misd	B	4684006.0	Failure to report accident to DOR within 30/10 days	Y	2	Fine \$0-\$500	Not FCC	
303.178	Misd	A	4686306.0	Knowingly display invalid evidence of liability insurance	Y			Not FCC	
303.179	Misd	A	4686506.0	Knowingly alter, make, sell, make available an invalid/counterfeit insurance card	N			Not FCC	
303.330	Misd	B	4683006.0	Refused to surrender drivers lic/registration when suspended/revoked	N		Fine \$0-\$500; 30 days max jail	Not FCC	
303.370	Misd	A	4681006.0	Forged/misrepresented motor veh accident or financial responsibility information to DOR knowingly	Y		Fine \$0-\$1,000; 1 yr max jail	Not FCC	
303.370	Misd		4602206.0	Drive motor vehicle on highway while owner's registration is suspended/revoked pursuant to Chap 303.370.3	Y	0	Fine \$0-\$500; 6 mos max jail	Not FCC	
303.370	Misd		4681806.0	Drive motor vehicle on highway while driver's license is suspended/revoked pursuant to Chap 303	Y	12	Fine \$0-\$500; 6 mos max jail	Not FCC	
303.406	Misd	A	4686799.0	Knowingly disclose information received from insurance companies	N			Not FCC	

2006 Traffic Bench Guide

STATUTE	TYPE/ CLASS		CHARGE CODE	DESCRIPTION	ROC?	POINTS		SPECIAL PENALTIES / CIRCUMSTANCES	FCC Fine	CDL
304.010	Misd	C	4956206.0	Weight of vehicle exceeded road/bridge limit approved by Hwy/Trans Commission in 2nd/3rd/4th class county	N				Not FCC	
304.010	Infr		5600505.0	Exceeded posted speed limit (exceeded by 1 - 5 mph)	Y	0			\$20.50	
304.010	Misd	C	5601005.0	Exceeded posted speed limit (exceeded by 6-10 mph)	Y	3			\$30.50	
304.010	Misd	C	5601505.0	Exceeded posted speed limit (exceeded by 11 - 15 mph)	Y	3			\$55.50	15 over - Serious traffic violation
304.010	Misd	C	5601905.0	Exceeded posted speed limit (exceeded by 16 - 19 mph)	Y	3			\$80.50	Serious traffic violation
304.010	Misd	B	5602005.0	Exceeded posted speed limit (exceeded by 20 mph or more)	Y	3			\$155.50	Serious traffic violation
304.011	Misd		4703605.0	Drove at such slow speed to impede/block normal and reasonable traffic movement	Y	2		Fine \$5-\$500, 1 yr jail max	\$30.50	
304.011	Misd	C	4703705.0	Drove at speed less than 40 mph on interstate highway	Y	2			\$30.50	
304.012	Misd	B	4737605.0	Operated a motor vehicle in a careless and imprudent manner	Y	2			\$80.50	Serious traffic violation
304.012	Misd	A	4737705.0	Operated a motor vehicle in a careless and imprudent manner, involving an accident	Y	2			Not FCC	Serious traffic violation
304.013	Misd	C	4706005.0	Illegally operating ATV upon highway	Y	2		Points assessed only if offense occurred on public hwy/rdwy	\$30.50	
304.013	Misd	C	4706206.0	Illegally operating ATV within a stream or river	N				\$30.50	
304.013	Misd	C	4706406.0	Operating 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	\$30.50	
304.013	Misd	C	4706605.0	Operating ATV on highway in excess of thirty miles-per-hour	Y	3			\$30.50	
304.013	Misd	C	4706806.0	Operating ATV without proper bicycle safety flag	N	2			\$20.50	
304.013	Misd	C	4707006.0	Operating ATV in careless way, endangering person or property of another	Y	2			\$20.50	
304.013	Misd	C	4707204.0	Oper ATV while under the influence of alcohol	Y	8	12		Not FCC	
304.013	Misd	C	4707403.0	Oper ATV while under the influence of controlled substance	Y	8	12		Not FCC	
304.013	Misd	C	4707606.0	Person under 18 years oper ATV without securely fastened safety helmet on head	N	2			\$20.50	
304.013	Misd	C	4707806.0	Oper ATV carrying a passenger when seat not designed for such	Y	2			\$20.50	
304.013	Misd	C	4707906.0	Handicapped person operated ATV on primary highway	Y	2			\$30.50	

2006 Traffic Bench Guide

STATUTE	TYPE/ CLASS		CHARGE CODE	DESCRIPTION	ROC?	POINTS	SPECIAL PENALTIES / CIRCUMSTANCES	FCC Fine	CDL
304.013	Misd	C	4708005.0	Illegally operating ATV on highway for agricultural purposes between official sunset and sunrise	Y	2		\$20.50	
304.013	Misd	C	4708106.0	Handicapped person operated ATV on roadway between the hours of official sunset and sunrise	Y	2		\$20.50	
304.015	Infr		4714505.0	Failed to obey official signs temporarily designating lanes	Y	2		\$30.50	
304.015	Misd	C	4714605.0	Failed to obey official signs temp designating lanes, causing an immed threat of an accident	Y	2		\$30.50	
304.015	Misd	A	4714705.0	Failed to obey official signs temporarily designating lanes, resulting in an accident	Y	2		Not FCC	
304.015	Infr		4714805.0	Changed lanes when movement could not be made with safety on roadway having 3 or more lanes	Y	2		\$30.50	Serious traffic violation
304.015	Misd	C	4714905.0	Change lanes when movmnt could not be made w/safty on rdwy having 3 or > lanes, causing immed threat of accident	Y	2		\$30.50	Serious traffic violation
304.015	Misd	A	4715005.0	Change lanes when movmnt could not be made w/safty on rdwy having 3 or > lanes, resulting in accident	Y	2		Not FCC	Serious traffic violation
304.015	Infr		4721005.0	Made U-turn/left turn on divided hwy not at intersec/interchange/any signed location	Y	2		\$30.50	Serious traffic violation
304.015	Misd	C	4721105.0	Made U-turn/left turn on divided hwy not at intersctn/interchnng/any signed location-causing immed threat of accidnt	Y	2		\$30.50	Serious traffic violation
304.015	Misd	A	4721205.0	Made U-turn/left turn on divided hwy not at intersctn/interchnng/any signed location - resulting in accident	Y	2		Not FCC	Serious traffic violation
304.015	Infr		4722505.0	Failed to drive on right half of rdwy when rdwy was of sufficient width	Y	2		\$30.50	Serious traffic violation
304.015	Misd	C	4722605.0	Failed to drive on right half of rdwy when rdwy was of sufficient width, causing an immed threat of accident	Y	2		\$30.50	Serious traffic violation
304.015	Misd	A	4722705.0	Failed to drive on right half of rdwy when rdwy was of sufficient width, resulting in an accident	Y	2		Not FCC	Serious traffic violation
304.015	Infr		4722805.0	Drove wrong direction on hwy divided into two or more rdwys	Y	2		\$30.50	Serious traffic violation
304.015	Misd	C	4722905.0	Drove wrong direction on hwy divided into two or more rdwys, causing an immed threat of an accident	Y	2		\$30.50	Serious traffic violation
304.015	Misd	A	4723005.0	Drove wrong direction on hwy divided into two/more rdwys, resulting in an accident	Y	2		Not FCC	Serious traffic violation
304.015	Infr		4723105.0	Failed to drive within single lane on roadway having 3 or more lanes	Y	2		\$30.50	Serious traffic violation
304.015	Misd	C	4723205.0	Failed to drive within single lane on roadway having 3 or more lanes, causing an immed threat of an accident	Y	2		\$30.50	Serious traffic violation
304.015	Misd	A	4723305.0	Failed to drive within single lane on roadway having 3 or more lanes, resulting in an accident	Y	2			Serious traffic violation

2006 Traffic Bench Guide

STATUTE	TYPE/ CLASS		CHARGE CODE	DESCRIPTION	ROC?	POINTS	SPECIAL PENALTIES / CIRCUMSTANCES	FCC Fine	CDL
304.015	Infr		4723405.0	Drove in center lane of 3 lane roadway when view obstructed or not clear of traffic	Y	2		Not FCC	Serious traffic violation
304.015	Misd	C	4723505.0	Drove in cntr lane of 3 lane rdwy when view obstructd or not clear of traffic, causing immed threat of accident	Y	2		\$30.50	Serious traffic violation
304.015	Misd	A	4723605.0	Drove in center lane of 3 lane roadway when view obstructed or not clear of traffic, resulting in an accident	Y	2		Not FCC	Serious traffic violation
304.015	Infr		4723705.0	Failed to drive in right hand lane of roadway with 3 or more lanes when traveling at speed less than normal	Y	2		\$30.50	Serious traffic violation
304.015	Misd	C	4723805.0	Failed to drive in right hand lane of rdwy with 3 or more lanes when travel at speed < normal, causing immed threat of accident	Y	2		\$30.50	Serious traffic violation
304.015	Misd	A	4723905.0	Fail to drive in rght hand lane of rdwy with 3 or > lanes when travel at speed < normal, resulting in accident	Y	2		Not FCC	Serious traffic violation
304.015	Infr		4724005.0	Failed to drive within right lane of hwy with 2 or more lanes in same direction	Y	2		\$30.50	Serious traffic violation
304.015	Misd	C	4724105.0	Failed to drive w/in right lane of hwy w/2 or more lanes in same direct, causing immed threat of accident	Y	2		\$30.50	Serious traffic violation
304.015	Misd	A	4724205.0	Failed to drive w/in right lane of hwy w/2 or more lanes in same direct, resulting in an accident	Y	2		Not FCC	Serious traffic violation
304.015	Infr		4800305.0	Failed to place veh not in motion as near right hand side of hwy as practicable	N			\$30.50	
304.015	Misd	C	4800405.0	Fail to place veh not in motion as near right hand side of hwy as practicable, causing immed threat of accident	Y			\$30.50	
304.015	Misd		4800505.0	Failed to place veh not in motion as near right hand side of highway as practicable, resulting in an accident	Y			Not FCC	
304.016	Misd	C	4728505.0	Cut in on overtaken vehicle	Y	2		\$80.50	Serious traffic violation
304.016	Misd	C	4728805.0	Passed vehicle on right and traveled off main portion of road	Y	2		\$80.50	Serious traffic violation
304.016	Misd	C	4729105.0	Passed vehicle and interfered with approaching traffic	Y	4		\$130.50	Serious traffic violation
304.016	Misd	C	4729405.0	Drove vehicle to left side of roadway when view obstructed by hill or curve	Y	4		\$130.50	Serious traffic violation
304.016	Misd	C	4729705.0	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	Misd	C	4730005.0	Drove vehicle to left side of roadway within 100ft of intersec/railroad grade crossing	Y	4		\$130.50	Serious traffic violation
304.016	Misd	C	4737505.0	Increased speed while being passed	Y	2		\$80.50	Serious traffic violation
304.017	Misd	C	4727005.0	Car/motorcycle/truck under 18000 lbs followed another vehicle too closely	Y	2		\$30.50	Serious traffic violation

2006 Traffic Bench Guide

STATUTE	TYPE/ CLASS		CHARGE CODE	DESCRIPTION	ROC?	POINTS	SPECIAL PENALTIES / CIRCUMSTANCES	FCC Fine	CDL
304.017	Misd	C	4727305.0	Truck - 18,000 lbs or more/bus followed another vehicle too closely	Y	2		\$130.50	Serious traffic violation
304.019	Misd	C	4721305.0	Stop/slow speed/turn from direct course/move vehicle right/left when unsafe	Y	2		\$30.50	
304.019	Misd	C	4733305.0	Failed to signal/gave improper signal when stopping/turning left or right	Y	2		\$30.50	
304.022	Misd	A	4710605.0	Fail to yield to emergency veh sounding siren and displaying red/blue light	Y	2		\$80.50	
304.022	Misd	A	4710705.0	Fail to proceed w/ cauthn/yld right-of-way/reduce spd when approach statnry emergncy veh dsply red/blue light	Y	2		\$80.50	
304.022	Misd	A	4710905.0	Activate siren/warning lights on emergency vehicle when not in pursuit/on emergency mission	Y	2		\$80.50	
304.022	Misd	A	4711505.0	Failure of streetcar motorman to stop car clear of intersection until emerg veh has passed	Y	2			
304.023	Misd	C	4729005.0	Improper passing of a streetcar	Y	2		Not FCC	
304.024	Infr		4800106.0	Stopped or parked veh in prohibited area established by MO Hwy & Trans Comm	N			\$20.50	
304.030	Misd		4715105.0	Failed to stop loaded bus or hazardous/ inflammable/corrosive materials truck for railroad grade crossing	Y	2		\$80.50	
304.031	Misd	B	4719006.0	Unlawfully use a TSPS to control traffic	Y			\$130.50	
304.035	Misd	C	4715205.0	Drove through RR crossing without sufficient space	Y	2		\$30.50	1st offense -60 day disqualification 2nd offense w/i 3 years of violation - 90 day disqualification 3rd or sub offense w/i 3 years of violation - 1 years disqualification
304.035	Misd	C	4715305.0	Drove through RR crossing without sufficient undercarriage clearance on vehicle	Y	2		\$30.50	1st offense -60 day disqualification 2nd offense w/i 3 years of violation - 90 day disqualification 3rd or sub offense w/i 3 years of violation - 1 years disqualification

2006 Traffic Bench Guide

STATUTE	TYPE/ CLASS		CHARGE CODE	DESCRIPTION	ROC?	POINTS	SPECIAL PENALTIES / CIRCUMSTANCES	FCC Fine	CDL
304.035	Misd	C	4715505.0	Failure to obey traffic control device/direction of enforcement official at RR crossing	Y	2		\$30.50	1st offense -60 day disqualification 2nd offense w/i 3 years of violation - 90 day disqualification 3rd or sub offense w/i 3 years of violation - 1 years disqualification
304.035	Misd	C	4715605.0	Failure to stop at RR track	Y	2		\$30.50	1st offense -60 day disqualification 2nd offense w/i 3 years of violation - 90 day disqualification 3rd or sub offense w/i 3 years of violation - 1 years disqualification
304.035	Misd	C	4715805.0	Failure to obey RR-hwy grade crossing restrictions not specified	Y	2		\$30.50	1st offense -60 day disqualification 2nd offense w/i 3 years of violation - 90 day disqualification 3rd or sub offense w/i 3 years of violation - 1 years disqualification
304.035	Misd	C	4715905.0	Fail to slow comm mtr veh when approaching RR grade crossing	Y	2		\$30.50	1st offense -60 day disqualification 2nd offense w/i 3 years of violation - 90 day disqualification 3rd or sub offense w/i 3 years of violation - 1 years disqualification
304.044	Misd	C	4727605.0	Followed another bus/truck closer than 300 ft	Y	2		\$130.50	Serious traffic violation
304.050	Misd	A	4730305.0	Failed to stop for school bus receiving/discharging school children	Y	2		\$80.50	
304.050	Misd	A	4801506.0	Fail to have signs on school bus/equip school bus with mech/elec signaling device	N			\$80.50	
304.050	Misd	A	4801806.0	Fail to equip school bus with crossing control arm	Y				

2006 Traffic Bench Guide

STATUTE	TYPE/ CLASS	CHARGE CODE	DESCRIPTION	ROC?	POINTS	SPECIAL PENALTIES / CIRCUMSTANCES	FCC Fine	CDL
304.050	Misd	A	4802006.0	School bus driver required passenger to cross more than 2 lanes of 4 lane highway	N		\$80.50	
304.050	Misd	A	4802506.0	School bus driver loaded or unloaded passengers where bus not visible 300 ft/500 ft	N		\$80.50	
304.050	Misd	A	4803005.0	School bus driver failed to permit following vehicle to pass	Y	2	\$80.50	
304.075	Misd	C	4901006.0	Fail to remove or cover signs on school bus when used for purpose other than transporting school children	N		\$30.50	
304.079	Misd	A	4887706.0	Failure to provide proper authorization for parking vehicle in handicap zone	N		\$80.50	
304.079	Misd	A	4887805.0	Oper/drive mtr veh with disabled placard hanging from rearview mirror	N	2	\$10.00	
304.080	Misd		4738205.0	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 FCC
304.130	Infr		5610505.0	Exceeded posted speed limit - 1st class county (exceeded by 1 - 5 mph)	Y	0	\$20.50	
304.130	Infr		5611005.0	Exceeded posted speed limit - 1st class county (exceeded by 6 - 10 mph)	Y	2	\$30.50	
304.130	Infr		5611505.0	Exceeded posted speed limit - 1st class county (exceeded by 11 - 15 mph)	Y	2	\$55.50	15 over - Serious traffic violation
304.130	Infr		5611905.0	Exceeded posted speed limit - 1st class county (exceeded by 16 - 19 mph)	Y	2	\$80.50	Serious traffic violation
304.130	Infr		5612005.0	Exceeded posted speed limit - 1st class county (exceeded by 20 mph or more)	Y	2	\$155.50	Serious traffic violation
304.151	Infr		48814__	Failure to move vehicle which is obstructing flow of traffic	N		Fine \$15-\$50	\$20.50
304.156	Infr		4600706.0	Fail to make applic for junking or salvage certif title w/in 30 days of purchase abandnd prop from muni/city	N		Not FCC	
304.157	Misd	C	4880606.0	Landowner towed abandnd prop w/out athr of law enfrcemnt officer when not present/when no sign disply warn such	N		Not FCC	
304.158	Misd	A	48808__	Any violation of towing regulations from Sec 304.155 to 304.158	N		\$130.50	
304.160	Misd	C	4804506.0	Fail to make reasonable effort to clear hwy of substnce injur to tires/veh when dropped purpose/accident	N		\$30.50	
304.170	Misd		4804606.0	Operate/transport implements of husbandry on highway between sunset and sunrise	N		\$80.50	
304.170	Misd		4804706.0	Operated implements of husbandry on state highway without operator's license	N		\$80.50	
304.170	Misd		4804806.0	Operated sludge disposal unit on interstate highway	N		Fine of not less than \$5; 1 yr jail max	\$80.50

2006 Traffic Bench Guide

STATUTE	TYPE/ CLASS	CHARGE CODE	DESCRIPTION	ROC?	POINTS	SPECIAL PENALTIES / CIRCUMSTANCES	FCC Fine	CDL
304.170	Misd	4804906.0	Operated sludge disposal unit in violation of special permit	N		Fine of not less than \$5; 1 yr jail max	\$80.50	
304.170	Misd	4906106.0	Width of veh exceeded 8/8 1/2 ft	N		Fine of not less than \$5; 1 yr jail max	\$80.50	
304.170	Misd	4906506.0	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	Misd	4907506.0	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	Misd	4908006.0	Length of single motor vehicle exceeded 45 ft	N		Fine of not less than \$5; 1 yr jail max	\$80.50	
304.170	Misd	4909106.0	Length of bus exceeded 45/46/47 feet	N		Fine of not less than \$5; 1 yr jail max	\$80.50	
304.170	Misd	4910106.0	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	Misd	4911106.0	Length of tractor and semi-trailer exceeded 60 ft	N		Fine of not less than \$5; 1 yr jail max	\$80.50	
304.170	Misd	4912106.0	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	Misd	4914006.0	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	Misd	4915006.0	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	Misd	4915306.0	Length of loaded auto/boat transporting exceed limit	N		Fine of not less than \$5; 1 yr jail max	\$80.50	
304.170	Misd	4915506.0	Length of driveway saddlemount combination exceeded limit	N		Fine of not less than \$5; 1 yr jail max	\$80.50	
304.180	Misd	4919506.0	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	Misd	4921106.0	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	Misd	4922006.0	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	Misd	4923006.0	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	

2006 Traffic Bench Guide

STATUTE	TYPE/ CLASS	CHARGE CODE	DESCRIPTION	ROC?	POINTS	SPECIAL PENALTIES / CIRCUMSTANCES	FCC Fine	CDL
304.180	Misd	4924006.0	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	Misd	4925006.0	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	Misd	4926006.0	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	Misd	4927006.0	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	Misd	4928006.0	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	
304.181	Misd	4929006.0	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	Misd	4930006.0	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	Misd	4932506.0	Violate Sec 304.184 re wght/lngh/width 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 or \$80.50	
304.190	Misd	4935106.0	Height of veh in comm zone exceed 15 ft	N		Fine of not less than \$5; 1 yr jail max	\$80.50	
304.190	Misd	4936106.0	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	Misd	4936506.0	Viol special permits for vehicles	N		Ht:Fine of not less than \$5; 1 yr jail max; Wt: Same as 304.180 for lbs over special permit limit	\$80.50	
304.220	Misd	C 4940006.0	Weight of vehicle exceeded maximum posted limit for county road or bridge	N			Calculated Wt. Fine	
304.230	Misd	4941006.0	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	Misd	4942006.0	Failed to stop comm mtr veh at weigh station	N		Fine \$5-\$500; 1 yr jail max	\$130.50	
304.250	Infr	4943206.0	Operated metal tired veh on improved hwy	N		Liable for civil damages	\$20.50	

2006 Traffic Bench Guide

STATUTE	TYPE/ CLASS	CHARGE CODE	DESCRIPTION	ROC?	POINTS	SPECIAL PENALTIES / CIRCUMSTANCES	FCC Fine	CDL
304.260	Misd		4946006.0	Gross weight exceeded posted limit for state maintained bridge	N		Fine \$5-\$500; 1 yr jail max	\$80.50
304.271	Misd	C	4715705.0	Failed to obey traffic control device	Y	2		\$30.50
304.281	Misd	C	4709305.0	Failed to yield right of way to vehicle/pedestrian lawfully in controlled intersec/crosswalk	Y	2		\$30.50
304.281	Misd	C	4716005.0	Failed to stop for steady red signal at crosswalk/stop line/point nearest intersec	Y	2		\$30.50
304.281	Misd	C	4716305.0	Turned right on red signal where prohibited by sign	Y	2		\$30.50
304.281	Misd	C	4780506.0	Pedestrian started to cross roadway when facing steady red/yellow signal	N			\$20.50
304.291	Misd		4738405.0	Failed to yield right of way to pedestrian facing walk signal	Y	2	Fine \$5-\$500; 1 yr jail max	\$20.50
304.291	Misd		4781006.0	Pedestrian started across rdwy when signal exhibited words "don't walk"	N		Fine \$5-\$500; 1 yr jail max	\$20.50
304.301	Misd	C	4716605.0	Failed to stop for flashing red signal at stop line/crosswalk/point nearest intersec	Y	2		\$30.50
304.301	Infr		4717005.0	Failed to proceed with caution past a flashing yellow signal	N			\$30.50
304.311	Misd		4717205.0	Entered/traveled in a lane over which a red signal was shown	Y	2	Fine \$5-\$500; 1 yr jail max	\$30.50
304.321	Misd		4805006.0	Placed unauthorized sign/signal device on/in view of hwy	N		Fine \$5-\$500; 1 yr jail max	\$80.50
304.321	Misd		4805506.0	Placed device/sign which interfered with effectiveness of official sign/signals	N		Fine \$5-\$500; 1 yr jail max	\$80.50
304.321	Misd		4806006.0	Placed comm advertising on official sign	N		Fine \$5-\$500; 1 yr jail max	\$80.50
304.331	Misd		4808006.0	Altered/defaced/injured/knocked down or removed sign or signal device	N		Fine \$5-\$500; 1 yr jail max	\$80.50
304.341	Misd	C	4717505.0	Failed to turn as directed or required by intersec traffic control device	Y	2		\$30.50
304.341	Misd	C	4717805.0	Made U-turn at intersec controlled by traffic signal/police officer	Y	2		\$30.50
304.341	Misd	C	4721605.0	Failed to make/approach for right turn as close as practicable to right curb/edge of roadway	Y	2		\$30.50
304.341	Misd	C	4721905.0	Failed to make/approach for left turn within proper lane	Y	2		\$30.50
304.341	Misd	C	4722205.0	Make U-turn/interfere w/traffic where vision less than 300 ft/traffic hazard created	Y	2		\$30.50

2006 Traffic Bench Guide

STATUTE	TYPE/ CLASS		CHARGE CODE	DESCRIPTION	ROC?	POINTS	SPECIAL PENALTIES / CIRCUMSTANCES	FCC Fine	CDL
304.351	Misd	C	4709605.0	Failed to yield to vehicle that had entered intersec 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.	\$30.50	
304.351	Misd	C	4709905.0	Failed to yield to vehicle on right that entered intersec 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.	\$30.50	
304.351	Misd	C	4710205.0	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.	\$30.50	
304.351	Misd	C	4710505.0	Failed to yield after stopping to vehicle that entered intersec/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.	\$30.50	

2006 Traffic Bench Guide

STATUTE	TYPE/ CLASS		CHARGE CODE	DESCRIPTION	ROC?	POINTS	SPECIAL PENALTIES / CIRCUMSTANCES	FCC Fine	CDL
304.351	Misd	C	4710805.0	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.	\$30.50	
304.351	Misd	C	4711105.0	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.	\$30.50	
304.351	Misd	C	4718105.0	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.	\$30.50	
304.351	Misd	C	4718405.0	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.	\$30.50	
304.370	Misd	A	4734002.0	Transport hazardous material in/through highway tunnel - found/plead guilty/2nd/subsequent ofns	Y			\$130.50	
304.370	Misd	B	4734202.0	Transport hazardous material in/through highway tunnel - 1st ofns	Y			\$130.50	

2006 Traffic Bench Guide

STATUTE	TYPE/ CLASS		CHARGE CODE	DESCRIPTION	ROC?	POINTS	SPECIAL PENALTIES / CIRCUMSTANCES	FCC Fine	CDL
304.370	Misd	A	4734502.0	Illegally park veh containing haz material within 300 ft of any highway tunnel - 2nd/subsqnt ofns	N			\$80.50	
304.370	Misd	B	4734702.0	Illegally parked a veh containing hazardous material with 300 ft of any highway tunnel - 1st ofns	N			\$80.50	
304.582	Misd	C	4729505.0	Overtake/pass mtr veh in work/construction zone on divided highway	Y	2	1st Offense - \$35 add't fine; 2nd & subsequent - \$75 Add'l fine 1st Offense workers present & sign psoted - \$250; 2nd & subsequent - \$300	\$105.50 (+ \$250.00 if workers present)	
304.582	Misd	C	4729605.0	Pass/ampt pass mtr veh in wrk/construction zone on 2 lane hwy when wrkr/equip workng and sign/contrl device erected	Y	2	1st Offense - \$35 add't fine; 2nd & subsequent - \$75 Add'l fine 1st Offense workers present & sign psoted - \$250; 2nd & subsequent - \$300		
304.585	Infr		5606005.0	Endangerment of a highway worker as defined in Sec 304.580.1	Y	4	Fine not to exceed \$1000		
304.585	Infr		5607005.0	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 ideath to highway worker		
304.665	Misd	C	4740006.0	Oper truck with person under 18 years of age riding in unenclosed bed of truck	N			\$20.50	
304.678	Misd		4728905.0	Failure of operator of motor veh to maintain safe distance when passing bicycle	Y	2		\$80.50	
304.678	Misd	C	4728605.0	Failure of operator of motor veh to maintain safe distance when passing bicycle - involves accident	Y	2		Not FCC	
304.678	Infr		4728705.0	Failure of operator of motor veh to maintain safe distance when passing bicycle	N	2		\$80.50	

Construction Zone Offenses

Section [304.582](#), RSMo REQUIRES the court to assess additional sums as fine if the offense occurs in a “construction zone” or “work zone.” There are types of violations that REQUIRE additional action of the court.

I. MOVING or POINTS Violation (Unless punishment is assessed under II. below.)

A. FIRST OFFENSE - If a person pleads guilty or is convicted of:

- a) Any moving violation (sect [302.010](#)) or
- b) Any violation for which Points are assessed (sect. [302.302](#))

AND The offense occurred in a “construction zone” or “work zone”

THEN The court **MUST ASSESS** a fine of \$35 **IN ADDITION** to fine and costs otherwise assessed by law.

B. SECOND & SUBSEQUENT OFFENSE - If a person pleads guilty or is convicted of:

- c) Any moving violation (sect [302.010](#)) or
- d) Any violation for which Points are assessed (sect. [302.302](#))

AND The offense occurred in a “construction zone” or “work zone”

THEN The court **MUST ASSESS** a fine of \$75 **IN ADDITION** to fine and costs otherwise assessed by law.

II. Speeding or Passing in No Passing Zone

If a person pleads guilty to or is convicted of:

- a) Speeding (sect. [304.010](#)) or
- b) Passing in a no passing zone (sect. [304.580](#))

AND The offense occurred in a “construction zone” or “work zone”

AND A person was present performing duties related to the construction or work

AND A warning sign was posted (advising a \$250 fine would be imposed for violations)

THEN The court **MUST ASSESS** a fine of \$250 **IN ADDITION** to fine and costs otherwise assessed by law.

2006 Traffic Bench Guide

STATUTE	TYPE/ CLASS	CHARGE CODE	DESCRIPTION	ROC?	POINTS	SPECIAL PENALTIES / CIRCUMSTANCES	FCC Fine	CDL
307.010	Misd	C	4808506.0	Failed to cover or sufficiently secure vehicle load	N		\$130.50	
307.015	Misd		4809006.0	Failed to have mud flaps or fenders on truck or truck tractor trailer/have adequate mud flaps	N		\$20.50	
307.040	Infr		4809606.0	Oper mtr veh without lighted lamps when using windshield wipers	Y	2	\$10.00	
307.040	Infr		4809706.0	Failed to display lighted lamps on mtr veh/mtr drawn veh/motorcycle as required (general law)	Y	2	\$20.50	
307.040	Infr		4809806.0	Oper mtr veh without lighted lamps during periods of fog	Y	2	\$10.00	
307.040	Infr		4810106.0	Used unapproved lighting device or equipment on mtr veh/mtr drawn veh/motorcycle	N		\$20.50	
307.045	Infr		4810606.0	Fail to equip car/truck/bus with 2 approved headlamps/1 on each side/on same level	N		\$20.50	
307.045	Infr		4811106.0	Failed to equip motorcycle with an approved headlamp	N		\$20.50	
307.045	Infr		4811606.0	Equipped motorcycle with more than 2 headlamps	N		\$20.50	
307.045	Infr		4812106.0	Failed to equip motorcycle sidecar with an approved white light	N		\$20.50	
307.055	Infr		4816706.0	Failed to have singlebeam headlamp properly aimed/with an intensity to see persons/vehicles 200 feet	N		\$20.50	
307.060	Infr		4812606.0	Failed to have multiple beam headlamps on passenger car/truck/bus	N		\$20.50	
307.060	Infr		4813106.0	Fail to have upper beam headlamps aimed w/intensity to see person/vehicle 350 ft	N		\$20.50	
307.060	Infr		4813606.0	Fail to have lower beam headlamps aimed w/intensity to reveal person/vehicle 100 ft	N		\$20.50	
307.060	Infr		4814106.0	Oper mtr veh w/low beam headlamps directed to strike eyes of approaching driver	N		\$20.50	
307.065	Infr		4816806.0	Fail to have vehicle equipped with proper beam indicator for multi beam headlamps	N		\$20.50	
307.070	Infr		4738805.0	Failed to dim lights when within 500 ft of oncoming veh/300 ft of rear of a veh	Y	2	\$20.50	
307.075	Infr		4814606.0	Knwgly fail to equip mtr veh/mtr drawn veh w/2 approved red tail lamps-proper level	N		\$20.50	
307.075	Infr		4815106.0	Fail to equip mtr veh/mtr drawn veh with rear license lamp/to illuminate license 50 ft	N		\$20.50	
307.075	Infr		4815606.0	Fail to equip motorcycle with an approved properly mounted visible red reflector	N		\$20.50	
307.075	Infr		4816106.0	Fail to have 2 approved/properly mounted/visible/red reflectors on rear of motor veh	N		\$20.50	
307.075	Infr		4816606.0	Operated mtr veh without operable license lamps/tail lamps (knowingly)	N		\$20.50	

2006 Traffic Bench Guide

STATUTE	TYPE/ CLASS	CHARGE CODE	DESCRIPTION	ROC?	POINTS	SPECIAL PENALTIES / CIRCUMSTANCES	FCC Fine	CDL
307.080	Infr		4817106.0 Equip mtr veh with more than 3 aux lamps on front/mounted aux lamps improperly	N			\$20.50	
307.085	Infr		4817606.0 Equip motor vehicle w/more than 2 side cowl/fender lamps/wrong color side lamps	N			\$20.50	
307.085	Infr		4818106.0 Equipped mtr veh with backup lamp that is lighted when veh is in forward motion	N			\$20.50	
307.090	Misd	C	4818506.0 Equipped motor vehicle with more than 1 spotlamp	N			\$20.50	
307.090	Misd	C	4819006.0 Aimed or used a motor vehicle spotlamp in a glaring manner/to dazzle a person	N			\$30.50	
307.095	Infr		4819606.0 Displayed lighted headlamps of color not substantially white	N			\$20.50	
307.095	Infr		4820106.0 Displayed lighted aux lamps of color not substantially white - yellow or amber	N			\$20.50	
307.095	Infr		4820606.0 Displayed lighted red lamp to front of motor vehicle	N			\$20.50	
307.100	Infr		4821106.0 Use lamp other than head/spot/directional/aux on mtr veh that projects beam 75 ft	N			\$20.50	
307.100	Infr		4821306.0 Used alt flashing signal on comm passngr transprt veh/railroad passngr cars not loading/unloading passngr	N			\$30.50	
307.100	Infr		4821606.0 Used alt flashing signal for purpose not school bus/mail trsp/emerg veh/turn sig/load/unload passengers	N			\$30.50	
307.105	Infr		4822106.0 Failed to have 2 lighted headlamps - 1 on each side of passenger car/truck/bus	N			\$20.50	
307.105	Infr		4822606.0 Displayed more than 4 lighted headlamps on front of mtr veh	N			\$20.50	
307.110	Infr		4823106.0 Failed to display proper lighted lamps on parked passenger car/truck/bus	N			\$20.50	
307.115	Infr		4823606.0 Failed to have lighted lamps on agricultural machine/road machine/farm tractor/or have adequate lamps	N			\$20.50	
307.122	Misd	A	4850005.0 Operated motor vehicle/trailer on highway while equipped w/device which emits electronic message	N			\$20.50	
307.125	Misd	C	4824006.0 Fail to display req lighted tail lamp, reflector, flashing light, lamp or lantern on animal-driven veh	N			\$20.50	
307.125	Misd	C	4824106.0 Fail to display required flashing light on animal-driven vehicle on highway	N			\$20.50	
307.127	Infr		4824606.0 Fail to display adequate triangular emblem in prop loc on animal-driven vehicle	N			\$20.50	
307.140	Misd	C	4802706.0 Operated school bus or vehicle designed/used to transport passengers for hire not equipped with safety glass	N		Fine of not to exceed \$50 per offense	\$20.50	
307.145	Misd	C	4802806.0 Selling a passenger vehicle that is not a equipped with safety glass	N		Fine of not to exceed \$50 per offense	\$20.50	
307.165	Misd		4825006.0 Failed to equip pass veh with 2 sets of front seat safety belts (motor bus excluded)	N			\$30.50	

2006 Traffic Bench Guide

STATUTE	TYPE/ CLASS		CHARGE CODE	DESCRIPTION	ROC?	POINTS	SPECIAL PENALTIES / CIRCUMSTANCES	FCC Fine	CDL
307.170	Infr		4825606.0	Failed to equip mtr veh with a horn/maintain horn in good working order	N			\$20.50	
307.170	Infr		4826106.0	Failed to equip veh with muffler/adequate muffler/properly attached muffler	N			\$20.50	
307.170	Infr		4826606.0	Operated mtr veh with brakes not in good working order (2 sets except motorcycle)	N			\$20.50	
307.170	Infr		4827106.0	Failed to equip mtr veh with mirror to reveal road to rear (applies certain conditions)	N			\$20.50	
307.170	Infr		4827606.0	Failed to display red flag/lamp on projection exceeding 5 feet from vehicle	N			\$20.50	
307.170	Infr		4828306.0	Towed another veh with separation between greater than 15 ft	N			\$20.50	
307.170	Infr		4828406.0	Towed vehicle with improper secondary safety device	N			\$20.50	
307.170	Infr		4828606.0	Operated mtr veh on highway with attached/towed hay transporting device in dangerous position	N			\$20.50	
307.170	Infr		4828906.0	Failed to display lighted headlamps/tail lamps on vehicle being towed	N			\$20.50	
307.170	Infr		4881106.0	Made unnecessary noise with mtr vehicle horn/whistle	N			\$20.50	
307.170	Infr		4881606.0	Operated mtr veh which emitted excessive and unnecessary noise	N			\$20.50	
307.170	Infr		4882206.0	Operated mtr vehicle with muffler cutout	N			\$20.50	
307.170	Infr		4947106.0	Operated comm mtr veh with equipment not complying with MVI regulations	N			\$80.50	
307.171	Infr		4882906.0	Operated mtr vehicle between April 1 and November 1 with studded tires	N			\$20.50	
307.172	Misd	C	4829006.0	Oper pass mtr veh with front/rear raised to angle to obstruct driver's vision of hwy	N			\$30.50	
307.172	Misd	C	4829106.0	Operated mtr veh with front/rear bumper(s) raised more than 6 inches above manufacturer's height	N			\$30.50	
307.172	Misd	C	4829306.0	Operated mtr veh having bumper(s) as standard equipment w/o front/rear bumpers	N			\$30.50	
307.172	Misd	C	4829406.0	Oper mtr veh without properly equipped bumpers	N			\$30.50	
307.173	Misd	C	4849806.0	Oper mtr veh w/vis reducing matrl applied to windshield/excessive vision reducing matrl applied to side/rear window	N			\$30.50	
307.175	Misd	A	4829505.0	Used siren/blue lamp on mtr veh/other emergency equip when not responding to bona fide emergency	N			\$80.50	
307.175	Misd	A	4830005.0	Used siren/blue lamp on mtr veh w/o valid permit from chief fire dept/ ambulance association	N			\$80.50	
307.177	Misd	A	4948502.0	Oper comm veh when not in compliance with fed hazardous material regs	N		Vehicle placed out of service	\$130.50	

2006 Traffic Bench Guide

STATUTE	TYPE/ CLASS	CHARGE CODE	DESCRIPTION	ROC?	POINTS	SPECIAL PENALTIES / CIRCUMSTANCES	FCC Fine	CDL
307.178	Infr	4736706.0	Driver/front seat passenger 16 y/o or over fail to wear properly adjusted/fastened safety belt	N		\$10 max fine; no court costs	\$10.00	
307.178	Infr	4736806.0	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	
307.182	Infr	4735005.0	Viol Sec 307.182.2 (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		
307.182	Infr	4735506.0	Viol Secs 307.182.2 (1), (2), or (3) - driver fail to secure child < 8 y/o in child restraint or booster seat <i>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.</i>	N		\$50 max fine and court costs		
307.183	Infr	4830506.0	Failed to equip bicycle with brakes that will stop within 25 ft at 10 mph	N		Fine \$5-\$25	\$20.50	
307.185	Infr	4831006.0	Used bicycle without front lighted lamp/red rear reflector (or with inadequate lamp/reflector)	N		Fine \$5-\$25	\$20.50	
307.190	Infr	4781506.0	Failed to operate bicycle as near to right side of hwy as practicable	N		Fine \$5-\$25	\$20.50	
307.190	Infr	4782006.0	Failed to operate bicycle with due care when passing vehicle	N		Fine \$5-\$25	\$20.50	
307.191	Infr	4781206.0	Bicycle rider fail to operate a bicycle in the same direction as vehicles on roadway	N			\$20.50	
307.192	Infr	4781706.0	Bicycle rider fail to give hand signal before stop/decrease speed/turn/move rt/lt on roadway	N			\$20.50	
307.195	Misd	C 4782506.0	Operated motorized bicycle on hwy or street without valid driver's	Y			\$20.50	
307.195	Misd	C 4783006.0	Operated motorized bicycle on interstate highway	Y	2 6 4		\$20.50	
307.198	Misd	C 4708206.0	Operating ATV on highway without lighted headlamp and taillamp	N			\$20.50	
307.198	Misd	C 4708406.0	Operating ATV on highway without properly mounted required equilateral triangular emblem	N			\$20.50	
307.198	Misd	C 4708606.0	Operating ATV without a breaking system in good operating condition	N			\$20.50	
307.198	Misd	C 4708806.0	Operating ATV without a muffler system in good working condition and qualified spark arrester	N			\$20.50	

2006 Traffic Bench Guide

STATUTE	TYPE/ CLASS	CHARGE CODE	DESCRIPTION	ROC?	POINTS	SPECIAL PENALTIES / CIRCUMSTANCES	FCC Fine	CDL
307.211	Infr		4782399.0 Operate an electric personal assistive mobility device on roadway when speed limit > 45 mph	N			\$20.50	
307.350	Infr		4610806.0 Failed to display certificate of vehicle inspection or approval	N			\$30.50	
307.360	Misd		4620206.0 Inspecting without a valid permit	N			Not FCC	
307.360	Misd		4620406.0 Inspecting at an unapproved location	N			Not FCC	
307.360	Misd		4883006.0 Exceed private inspection station auth by inspecting veh of person not listed in permit	N			Not FCC	
307.365	Misd		4621006.0 Charging excessive inspection fee	N			Not FCC	
307.365	Misd		4883506.0 Performed improper/incomplete veh inspection	N			Not FCC	
307.365	Misd	A	4883906.0 Performed unauthorized repairs	N			Not FCC	
307.365	Misd		4884006.0 Furnished/loaned/gave/sold veh inspection permit to unentitled person	N			Not FCC	
307.365	Misd		4884506.0 Poss stolen/counterfeit/illegally purchased veh inspection certificate/sticker	N			Not FCC	
307.365	Misd		4885006.0 Failed to surrender veh inspection station permit	N			Not FCC	
307.366	Misd	C	4883106.0 Failed to perform required emissions inspection	N		Charge Code to be retired effective 9/1/2007	Not FCC	
307.366	Misd	C	4883206.0 Performed non-required emissions inspection	N		Charge Code to be retired effective 9/1/2007	Not FCC	
307.366	Misd	C	4883306.0 Charged excessive emissions inspection fee	N		Charge Code to be retired effective 9/1/2007	Not FCC	
307.366	Misd	C	4883406.0 Performed emissions inspection on different vehicle (one other than vehicle presented for inspection)	N		Charge Code to be retired effective 9/1/2007	Not FCC	
307.366	Misd	C	4883606.0 Performed emissions inspection with defective/out-of-service analyzer	N		Charge Code to be retired effective 9/1/2007	Not FCC	
307.366	Misd	C	4883706.0 Altered certified emissions analyzer	N		Charge Code to be retired effective 9/1/2007	Not FCC	
307.366	Misd	C	4883806.0 Failed to display fee for emissions inspection in conspicuous place	N		Charge Code to be retired effective 9/1/2007	Not FCC	
307.370	Misd		4621206.0 Making/issuing/knowingly using imitation/counterfeit inspection sticker/seal/ other device	N			Not FCC	
307.370	Misd		4885506.0 Issued cert of veh inspection or sticker without valid permit	N			Not FCC	
307.370	Misd		4886006.0 Displayed/permitted display of fictitious vehicle inspection certificate/sticker	N			Not FCC	
307.375	Misd		4739006.0 Operate school bus that was inspected and found unsafe w/o making corrections	Y			Not FCC	
307.380	Infr		4611106.0 Failed to have vehicle inspected immediately prior to sale	N			\$30.50	
307.390	Misd		4841006.0 Motor vehicle inspection violation	N			\$30.50	
307.400	Misd	B	4624606.0 Operated as motor carrier without medical certificate	N			\$80.50	
307.400	Misd	B	4624906.0 Failed to keep proper/made false motor carrier driver's record - exceeded maximum driving time	N			\$105.50	

2006 Traffic Bench Guide

STATUTE	TYPE/ CLASS		CHARGE CODE	DESCRIPTION	ROC?	POINTS	SPECIAL PENALTIES / CIRCUMSTANCES	FCC Fine	CDL
307.400	Misd	B	4625202.0	Failed to remain with/attend mtr carrier veh transporting hazardous materials	N			\$80.50	
307.400	Misd	B	4625502.0	Smoked/carried lighted cigarette within 25 feet of mtr carrier veh transporting hazardous materials	N			\$80.50	
307.400	Misd	B	4626002.0	Failed to properly mark mtr carrier veh transporting hazardous materials	N			\$80.50	
307.400	Misd	B	4626502.0	Driver under 21 transported hazardous material	Y	2		\$80.50	
307.400	Misd	B	4631006.0	Driver used radar detector while in commercial motor vehicle	N			\$80.50	
307.400	Misd	B	4631206.0	Operate a comm motor vehicle equipped with and/or contained a radar detector	N			\$80.50	
307.400	Misd	B	4631406.0	Required or permitted driver to oper commercial mtr veh equipped with or containing a radar detector	N			\$80.50	
307.400	Misd	B	4841506.0	Operated mtr carrier veh with improper/ defective lights/signaling devices/ reflectors/electric devices	N			\$80.50	
307.400	Misd	B	4842006.0	Failed to properly install/protect/cover battery or wiring on mtr carrier veh	N			\$80.50	
307.400	Misd	B	4842506.0	Failed to equip mtr carrier veh with required brake system/maintain capable brakes	N			\$130.50	
307.400	Misd	B	4843006.0	Oper mtr carrier veh w/vision reducing damage/vision discoloration/glazing covered	N			\$80.50	
307.400	Misd	B	4843506.0	Failed to properly mount/secure/vent/ maintain fuel tank/lines on mtr carrier veh	N			\$80.50	
307.400	Misd	B	4844006.0	Operated mtr carrier veh with 5th wheel in position to interfere with safety or weight	N			\$80.50	
307.400	Misd	B	4844506.0	Oper mtr carrier veh on tires fabric exposed/inferior load rate/groove dept	N			\$80.50	
307.400	Misd	B	4845006.0	Operate mtr carrier vehicle w/wipers not in condition to provide clear driver vision	N			\$80.50	
307.400	Misd	B	4845506.0	Operated mtr carrier veh in ice/snow/frost conditions without a defrosting device	N			\$80.50	
307.400	Misd	B	4846006.0	Failed to equip mtr carrier veh with mirrors capable of reflecting clear rear view	N			\$80.50	
307.400	Misd	B	4847006.0	Oper/disp mtr carrier veh knowing defect in exhaust could be hazardous to occupant	N			\$80.50	
307.400	Misd	B	4847506.0	Failed to display red flag/lamp on projection exceeding 4 feet from mtr carrier veh	N			\$80.50	
307.400	Misd	B	4848006.0	Failed to equip mtr carrier power unit with fire extinguisher properly filled/ accessible	N			\$80.50	
307.400	Misd	B	4848506.0	Failed to equip mtr carrier veh with devices to assure load would not shift/ fall	N			\$130.50	

2006 Traffic Bench Guide

STATUTE	TYPE/ CLASS		CHARGE CODE	DESCRIPTION	ROC?	POINTS	SPECIAL PENALTIES / CIRCUMSTANCES	FCC Fine	CDL
307.400	Misd	B	4848806.0	Operated commercial motor vehicle while driver is subject to an out-of-service order	N			\$80.50	
307.400	Misd	B	4849006.0	Operated motor carrier veh with improper/defective tow bar/5th whl/saddle mount/pintle hook	N			\$80.50	
307.400	Misd	B	4849206.0	Oper comm mtr veh/trl declared out-of-service for inadequate/defective equip/hazardous material markings	N			\$80.50	
307.400	Misd		4849306.0	Operating commercial motor vehicle without seatbelt	N			\$30.50	
307.400	Misd	B	4849506.0	Misc Fed Mtr Carrier Code - any fed mtr carrier charge not itemized in this section shall be assigned this code	N			\$80.50	
307.400	Misd	B	4849706.0	Operated mtr carrier veh with unsafe/improper frame/suspension/axle/wheel/ rim and or steering system	N			\$130.50	

2006 Traffic Bench Guide

STATUTE	TYPE/ CLASS	CHARGE CODE	DESCRIPTION	ROC?	POINTS	SPECIAL PENALTIES / CIRCUMSTANCES	FCC Fine	CDL
311.050	Misd		3331001._ Manufacture liquor without proper license	N			Not FCC	
311.060	Misd		3302599._ Failure of licensee to report employment of convicted felon	N			Not FCC	
311.097	Misd		3312004._ Viol of provisions relating to Sunday sale of liquor in restaurant bar before hour	N			Not FCC	
311.100	Misd		3323002._ Sale by the drink without license original package	N			Not FCC	
311.180	Misd		3309099._ Manufacture or sale of liquor without license	N			Not FCC	
311.191	Misd	C	3308599._ Failure by vintage wine auctioneer to establish source of wine	N			Not FCC	
311.200	Misd		3320002._ Consumption of liquor on premises where sold	N			Not FCC	
311.240	Misd	A	3309599.0 Conducting business without federal receipt affixed to liquor license	N			Not FCC	
311.270	Misd		3315004._ Possession of intoxicating liquor when licensed to sell malt liquor only	N			Not FCC	
311.280	Misd		3317099._ Purchasing liquor from someone other than wholesaler	N			Not FCC	
311.290	Misd		3301099._ After hours/Sunday sales of liquor-failure to keep a closed place	N			Not FCC	
311.300	Misd		3306099._ Minor selling intoxicating liquor	N			Not FCC	
311.300	Misd		3307099._ Permit minor to sell non-intoxicating beer	N			Not FCC	
311.310	Misd		3303099._ Supplying liquor to a minor or intoxicated person	N		Fine \$50-\$100; 1 yr jail max	Not FCC	
311.310	Misd	A	3303399._ Ownr/occupant/otr persn/legl entity knwng allow/fail to stop persn <21drink/possess intox liquor-2nd/sub ofns	N			Not FCC	
311.310	Misd	B	3303799._ Owner/occupant/other person/legal entity knwng allow/fail to stop person < 21 drink/possess intoxicating liquor	N			Not FCC	
311.320	Misd		3302299._ 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	Misd		3304599._ Minor visibly intox / BAC .02% or more	N		Fine \$50-\$100; 1 yr jail max; DL suspended if ordered by court	Not FCC	
311.325	Misd		3304099._ Purchase/attempt purchase or possession of liquor by minor	N		Fine \$50-\$100; 1 yr jail max	Not FCC	
311.328	Misd		4667106.0 Reproduce/alter/modify/misrepresent w/o authorization any oper's license or ID card issued by DOR	N		Fine \$50-\$100; 1 yr jail max	Not FCC	
311.329	Misd	A	4668006.0 Person < 21 yrs possess reproduced, modified or altered driver's lic, military ID, or identification card	N			Not FCC	
311.330	Misd		3333099._ Possession of liquor not authorized in license	N			Not FCC	
311.338	Misd		3334099._ Violation of wholesale price regulations	N			Not FCC	
311.360	Misd		3308099._ Misrepresentation of brand of liquor	N			Not FCC	

2006 Traffic Bench Guide

STATUTE	TYPE/ CLASS	CHARGE CODE	DESCRIPTION	ROC?	POINTS	SPECIAL PENALTIES / CIRCUMSTANCES	FCC Fine	CDL
311.480	Misd	3310099._	Liquor sales without license-permitting consumption by minor/after hours/on Sunday	N			Not FCC	
311.490	Misd	3321301.0	Brew/manufacture/sell beer/malt liquor w/ingredients not in compliance w/standards in Sec 311.490	N			Not FCC	
311.550	Misd	3329099._	Failure to destroy empty liquor containers	N			Not FCC	
311.580	Misd	3313004._	Possession of illegal or untaxed liquor alcohol	N			Not FCC	

2006 Traffic Bench Guide

STATUTE	TYPE/ CLASS	CHARGE CODE	DESCRIPTION	ROC?	POINTS	SPECIAL PENALTIES / CIRCUMSTANCES	FCC Fine	CDL
390.041	Misd	4634306.0	Operate as common/contract carrier in intrastate commerce w/o document for load	N			\$80.50	
390.041	Misd	4635806.0	Operated mtr carrier veh leased to shipper/receiver	N			\$80.50	
390.041	Misd	4636106.0	Operate leased mtr carrier veh w/o copy of lease in veh/with expired lease markings	N			\$80.50	
390.041	Misd	4637306.0	Displayed altered/erased/undated cab card with motor carrier vehicle	N			\$80.50	
390.041	Misd	4955006.0	Fail to display name and permit/certificate number on both sides of mtr carrier veh	N			\$80.50	
390.051	Misd	4611306.0	Operated as common carrier in intrastate commerce w/o PSC certification	N			\$80.50	
390.061	Misd	4612206.0	Operated as contract carrier in intrastate commerce without PSC permit	N			\$80.50	
390.063	Misd	4624706.0	Operated commercial passenger-carrying vehicle without medical certificate	N			\$80.50	
390.063	Misd	4625006.0	Failed to keep proper/made false commercial passenger-carrying driver's record-exceeded maximum driving time	N			\$105.50	
390.063	Misd	4626102.0	Failed to properly mark commercial passenger-carrying vehicle transporting hazardous materials	N			\$130.50	
390.063	Misd	4626602.0	Driver under 21 transported hazardous material in comm passenger-carrying vehicle	Y			\$130.50	
390.063	Misd	4631106.0	Driver used radar detector while in commercial passenger-carrying vehicle	N			\$80.50	
390.063	Misd	4631306.0	Operate a comm passenger-carrying veh equipped with/contained radar detector	N			\$80.50	
390.063	Misd	4631506.0	Required or permitted a driver to oper comm passenger-carrying veh equipped w/contain radar detector	N			\$80.50	
390.063	Misd	4841606.0	Oper comm passenger-carrying veh with improper/defect lights/signaling/reflectors electrical devices	N			\$80.50	
390.063	Misd	4842106.0	Fail to properly install/protect/cover battery or wiring on passenger-carrying vehicle	N			\$80.50	
390.063	Misd	4842606.0	Failed to equip commercial passenger carrying vehicle with required brake systems/maintain capable brakes	N			\$130.50	
390.063	Misd	4843106.0	Oper comm passenger-carrying veh with vision reducing damage/vision discoloration/glazing covered	N			\$80.50	
390.063	Misd	4843606.0	Failed to properly mount/secure/vent/ maintain fuel tank/lines on commercial passenger carrying vehicle	N			\$80.50	
390.063	Misd	4844606.0	Operated commercial passenger-carrying vehicle on tires fabric exposed/inferior load rate/groove depth	N			\$80.50	
390.063	Misd	4845106.0	Operated commercial passenger-carrying vehicle with wipers not in condition to provide clear driver vision	N			\$80.50	

2006 Traffic Bench Guide

STATUTE	TYPE/ CLASS	CHARGE CODE	DESCRIPTION	ROC?	POINTS	SPECIAL PENALTIES / CIRCUMSTANCES	FCC Fine	CDL
390.063	Misd		4845606.0 Operated commercial passenger-carrying vehicle in ice/snow/frost conditions without a defrosting device	N			\$80.50	
390.063	Misd		4846106.0 Failed to equip commercial passenger- carrying vehicle with mirrors capable reflecting clear rear view	N			\$80.50	
390.063	Misd		4847106.0 Operated/dispatched commercial passenger-carrying vehicle with improper exhaust system	N			\$80.50	
390.063	Misd		4848106.0 Failed to equip commercial passenger- carrying vehicle with proper/adequate emergency equipment	N			\$80.50	
390.063	Misd		4848206.0 Oper commercial passenger-carrying vehicle w/o required emergency markings for escape doors/windows	N			\$80.50	
390.063	Misd		4848906.0 Operated commercial passenger-carrying vehicle with improper/defective coupling device articulated	N			\$80.50	
390.063	Misd		4849106.0 Oper comm passenger-carrying veh/trailer declared out-of-service for inadeq/defect equip/haz mat markings	N			\$80.50	
390.063	Misd		4849406.0 Driver oper comm passenger-carrying veh w/o wearing seat belt (doesn't apply to bus manuf before January 1, 1965)	N			\$30.50	
390.063	Misd		48496___. Misc Fed Mtr Carrier Code-any comm passngr-carrying veh charge not itemized shall be assgnd this code	N			\$80.50	
390.063	Misd		4849906.0 Oper comm passenger-carrying veh with unsafe/improper frame/suspens/axle/wheel/rim steering system	N			\$130.50	
390.066	Misd	A	4686006.0 Knowingly allow person to drive a comm veh while the person's lic is suspended/revoked/cancelled	Y	4		Not FCC	
390.071	Misd		4613106.0 Operated as motor carrier in interstate commerce without PSC permit	N			\$80.50	
390.136	Misd		4616606.0 Oper mtr carrier without regulatory or 72 hour lic accompanying	N			\$80.50	
390.136	Misd		4616706.0 Displayed altered/fraudulent/incomplete PSC decal/or affixed decal nonpermanent	N		Maximum fine \$100	\$80.50	
390.136	Misd		4617006.0 Failed to transfer PSC stamp/cab card to substitute motor carrier vehicle	N		Maximum fine \$100	\$80.50	
390.171	Misd	A	46040___. Miscellaneous motor carrier violation	N		Maximum fine \$100	\$30.50	
390.330	Misd		5413299_. Make restricted info of MODOT avail to public w/o an order from div director or an admin law judge	N			Not FCC	

2006 Traffic Bench Guide

STATUTE	TYPE/ CLASS		CHARGE CODE	DESCRIPTION	ROC?	POINTS	SPECIAL PENALTIES / CIRCUMSTANCES	FCC Fine	CDL
577.010	Fel	D	4741004.0	DWI - alcohol - persistent offender	Y	8 – 1st offense 12 – 2nd offense	NO SIS, No fine in lieu of imprisonment. Minimum sentence 10 days Unless ordered to perform 60 days community service on probation/parole.		
577.010	Misd	A	4741504.0	DWI - alcohol - prior offender	Y	8 – 1st offense 12 – 2nd offense	NO SIS, No fine in lieu of imprisonment. Minimum sentence 5 days - Unless ordered to perform 30 days community service on probation/parole.		
577.010	Fel	B	4741704.0	DWI - alcohol - chronic offender	Y	8 – 1st offense 12 – 2nd offense	NO SIS, No fine in lieu of imprisonment. NO PROBATION OR PAROLE until serving Minimum sentence 2 Years		
577.010	Fel	C	4741804.0	DWI - alcohol - aggravated offender	Y	8 – 1st offense 12 – 2nd offense	NO SIS, No fine in lieu of imprisonment. NO PROBATION OR PAROLE until serving Minimum sentence 60 Days		
577.010	Misd	B	4742004.0	DWI - alcohol	Y	8 – 1st offense 12 – 2nd offense	SIS only if given minimum 2 years probation		NO SIS even in private vehicle, No masking
577.010	Fel	B	4742303.0	DWI - drug intoxication - chronic offender	Y	8 – 1st offense 12 – 2nd offense	NO SIS, No fine in lieu of imprisonment. NO PROBATION OR PAROLE until serving Minimum sentence 2 Years		
577.010	Fel	C	4742703.0	DWI - drug intoxication - aggravated offender	Y	8 – 1st offense 12 – 2nd offense	NO SIS, No fine in lieu of imprisonment. NO PROBATION OR PAROLE until serving Minimum sentence 60 Days		

2006 Traffic Bench Guide

STATUTE	TYPE/ CLASS		CHARGE CODE	DESCRIPTION	ROC?	POINTS	SPECIAL PENALTIES / CIRCUMSTANCES	FCC Fine	CDL
577.010	Fel	D	4743003.0	DWI - drug intoxication - persistent offender	Y	8 – 1st offense 12 – 2nd offense	NO SIS, No fine in lieu of imprisonment. Minimum sentence 10 days Unless ordered to perform 60 days community service on probation/parole.		
577.010	Misd	A	4743503.0	DWI - drug intoxication - prior offender	Y	8 – 1st offense 12 – 2nd offense	NO SIS, No fine in lieu of imprisonment. Minimum sentence 5 days - Unless ordered to perform 30 days community service on probation/parole.		
577.010	Misd	B	4744003.0	DWI - drug intoxication	Y	8 – 1st offense 12 – 2nd offense	SIS only if given minimum 2 years probation		NO SIS even in private vehicle, No masking
577.010	Fel	B	4744399.0	DWI - combined alcohol/drug intoxication - chronic offender	Y	8 – 1st offense 12 – 2nd offense	NO SIS, No fine in lieu of imprisonment. NO PROBATION OR PAROLE until serving Minimum sentence 2 Years		
577.010	Fel	C	4744799.0	DWI - combined alcohol/drug intoxication - aggravated offender	Y	8 – 1st offense 12 – 2nd offense	NO SIS, No fine in lieu of imprisonment. NO PROBATION OR PAROLE until serving Minimum sentence 60 Days		
577.010	Fel	D	4745099.0	DWI - combined alcohol/drug intoxication - persistent offender	Y	8 – 1st offense 12 – 2nd offense	NO SIS, No fine in lieu of imprisonment. Minimum sentence 10 days Unless ordered to perform 60 days community service on probation/parole.		

2006 Traffic Bench Guide

STATUTE	TYPE/ CLASS		CHARGE CODE	DESCRIPTION	ROC?	POINTS	SPECIAL PENALTIES / CIRCUMSTANCES	FCC Fine	CDL
577.010	Misd	A	4745599.0	DWI - combined alcohol/drug intoxication - prior offender	Y	8 – 1st offense 12 – 2nd offense	NO SIS, No fine in lieu of imprisonment. Minimum sentence 5 days - Unless ordered to perform 30 days community service on probation/parole.		
577.010	Misd	B	4746099.0	DWI - combined alcohol/drug intoxication	Y	8 – 1st offense 12 – 2nd offense	SIS only if given minimum 2 years probation		NO SIS even in private vehicle, No masking
577.012	Fel	B	4746304.0	Excessive BAC - chronic offender	Y	8 – 1st offense 12 – 2nd offense	NO SIS, No fine in lieu of imprisonment. NO PROBATION OR PAROLE until serving Minimum sentence 2 Years		
577.012	Fel	C	4746704.0	Excessive BAC - aggravated offender	Y	8 – 1st offense 12 – 2nd offense	NO SIS, No fine in lieu of imprisonment. NO PROBATION OR PAROLE until serving Minimum sentence 60 Days		
577.012	Fel	D	4747004.0	Excessive BAC - persistent offender	Y	8 – 1st offense 12 – 2nd offense	NO SIS, No fine in lieu of imprisonment. Minimum sentence 10 days Unless ordered to perform 60 days community service on probation/parole.		
577.012	Misd	A	4747504.0	Excessive BAC - prior offender	Y	8 – 1st offense 12 – 2nd offense	NO SIS, No fine in lieu of imprisonment. Minimum sentence 5 days - Unless ordered to perform 30 days community service on probation/parole.		
577.012	Misd	B	4748104.0	Excessive BAC	Y	8 – 1st offense 12 – 2nd offense			NO SIS even in private vehicle, No masking

2006 Traffic Bench Guide

STATUTE	TYPE/ CLASS	CHARGE CODE	DESCRIPTION	ROC?	POINTS	SPECIAL PENALTIES / CIRCUMSTANCES	FCC Fine	CDL
577.017	Infr		4749705.0	Drinking alcoholic beverage while operating moving vehicle upon hways	N			
577.051	Misd	C	2953506.0	Willfully refuse to furnish required alcohol/drug related records to hwy patrol/DOR	N			
577.060	Fel	D	4886501.0	Leaving scene of motor vehicle accident--injury, property damage or 2nd ofns	Y	12		
577.060	Misd	A	4886601.0	Leaving scene of motor vehicle accident	Y	12		
577.065	Misd	A	4709501.0	Fail to stop and report ATV accident to prop ownr/injur person or police officer/law enforcmnt agency	Y	2		
577.065	Fel	D	4886701._	Leaving scene of ATV accident--death or 2nd ofns	Y	12		
577.065	Misd	A	4886801._	Leaving scene of ATV accident--injury	Y	12		
577.070	Misd	A	3606099._	Littering	N			
577.073	Misd		5474099._	Littering waters/injure plants or historical objects/deface objects/selling in state parks	N			
577.076	Misd	B	3604399._	Littering w/carcass-put into any well,spring,pond, etc or any nuisnce in or near public road, hwy, etc not ones own	N			
577.080	Misd	A	4887006.0	Abandon mtr veh or trailer	N			
577.600	Misd	A	4842406.0	Fail to comply with court order requiring use of ignition interlock device-1st ofns	Y	2		
577.600	Misd	A	4842706.0	Fail to comply with court order requiring use of ignition interlock devic-2nd ofns	Y	2		
577.612	Misd	A	4842206.0	Violation of ignition interlock restrictions	Y	2		
577.625	Misd	A	5902699._	Distbtion of prescription med by person < 21 on public/private school property or school bus - 2nd or sub ofns	N			
577.625	Misd	B	5902799._	Distbtion of prescription med by person < 21 on public/private school property or school bus	N			
577.628	Misd	B	5902899._	Possession prescription med by person < 21 on public/private school property/school bus - 2nd/ofns	N			
577.628	Misd	C	5902999._	Possession prescription med by person < 21 on public/private school property/school bus	N			

2006 Traffic Bench Guide

TYPE	CHARGE CODE	DESCRIPTION	ROC?
Ordin	9061099.0	Operate ATV upon a highway/street not authorized	Y
Ordin	9061599.0	Operate ATV carrying a passenger	Y
Ordin	9062099.0	Operate ATV without proper bicycle safety flag	N
Ordin	9063099.0	Operate ATV within a stream or river	N
Ordin	9063599.0	Operate ATV on highway without operator or chauffeur license	Y
Ordin	9064099.0	Operate ATV on private property without consent of property owner	N
Ordin	9064599.0	Person < 16 yrs old oper ATV not accmpnd/under supervision of parent/guardian or auth person	N
Ordin	9065599.0	Operate ATV on hwy in excess of 30 mph	Y
Ordin	9066599.0	Person under 18 yrs of age oper ATV w/out securely fastened safety helmet on head	N
Ordin	9067599.0	Operate ATV in careless way endangering person or property of another	Y
Ordin	9068599.0	Operate ATV while under the influence of alcohol	Y
Ordin	9068799.0	Operate ATV while under influence of controlled substance	Y
Ordin	9069099.0	Miscellaneous ATV violation	N
Ordin	9081099.0	Operate motor vehicle in careless and reckless manner	Y
Ordin	9082099.0	Careless & reckless	Y
Ordin	9083099.0	Careless & reckless - accident	Y
Ordin	9084099.0	Inattentive driving	Y
Ordin	9085099.0	Fail to remain in moving vehicle	Y
Ordin	9100599.0	Cause/knowingly permit child/ward under age 16 to drive motor vehicle	Y
Ordin	9101099.0	Expired license	Y
Ordin	9101599.0	Operate vehicle on highway without valid or no license - 1st or 2nd ofns	Y
Ordin	9102599.0	Oper motorcycle when driver's license not validated for such - 1st or 2nd ofns	Y
Ordin	9102799.0	Oper veh without maintaining financial responsibility	Y
Ordin	9102899.0	Oper veh knowing owner has not maintained financial responsibility	Y
Ordin	9103099.0	Authorized or knowingly permitted person to drive mtr veh who had no legal right	Y
Ordin	9103299.0	Improper CDL class	Y
Ordin	9103599.0	Operate commercial motor veh without valid commercial drivers license	Y
Ordin	9104099.0	Operate commercial motor vehicle with a suspended/ revoked/cancelled license	Y
Ordin	9105099.0	Permitted invalidated licensee to operate motorcycle	Y
Ordin	9105599.0	Failed to comply w/condition of restricted drivers license (for vision)	Y
Ordin	9106099.0	Operate motor veh w/o obtaining new drivers license after being revoked/suspended	Y
Ordin	9106599.0	Displayed/possessed fictitious/cancelled/suspended/revoked/altered driver license	Y

2006 Traffic Bench Guide

TYPE	CHARGE CODE	DESCRIPTION	ROC?
Ordin	9107099.0	Reproduce/alter/modify/misrepresent without author any oper lic or ID card issued by DOR	Y
Ordin	9107599.0	Represented the drivers license of another person to be his/hers	Y
Ordin	9108099.0	Loaned drivers license to another person	Y
Ordin	9108299.0	Fail to produce license on demand	Y
Ordin	9108399.0	Forge/misrepresent mtr veh accid/fin resp infor to DOR knowingly	N
Ordin	9108599.0	Provided fraudulent information in application for drivers license	Y
Ordin	9109099.0	DWR/DWS	Y
Ordin	9109599.0	Oper school bus while permit suspended (suspended for failure to pass drug alcohol or chemical test)	Y
Ordin	9110099.0	Failed to comply with conditions of restricted drivers license (for physical infirmity)	Y
Ordin	9110599.0	Failure to comply with temporary instructions/driver permit	Y
Ordin	9110799.0	Driving while revoked (suspended for stealing motor fuel)	Y
Ordin	9111099.0	Operated motor veh on hwy while drivers license/ privilege revoked (for abuse and lose law)	Y
Ordin	9111599.0	Operated motor veh on hwy while drivers license/ privilege revoked (pts/failure to take test)	Y
Ordin	9112299.0	Oper mtr veh on hwy while driver license/privilege revkd (revkd for prob cause of .08% BAC and zero tolerance)	Y
Ordin	9112799.0	Oper mtr veh on hwy while driver license/privilege revkd (suspnd for prob cause .08% BAC and zero tolerance)	Y
Ordin	9113099.0	Operated motor veh on hwy while drivers license/ privilege revoked (suspended for points)	Y
Ordin	9113599.0	Drove motor veh on hwy while drivers license/ privilege suspended for improprieties in compact state	Y
Ordin	9114099.0	Operate motor veh while suspended or revoked after failing exam/failing to submit to exam required by DOR	Y
Ordin	9114599.0	Oper mtr veh on hwy while driver lic/priv revkd (suspended for nonappear/nonpayment of court fines/costs)	Y
Ordin	9115099.0	Oper mtr veh on hwy while driver license/privilege revkd (suspended for nonpayment of child support)	Y
Ordin	9115599.0	Oper comm mtr veh while driver privilege are suspended, revoked, cancelled from oper comm mtr veh	Y
Ordin	9115799.0	Oper comm mtr veh while driver privileges are disqualified from oper comm mtr veh	Y
Ordin	9116099.0	Operate motor veh on hwy while driver license suspended	Y
Ordin	9141004.0	Excessive BAC	Y

2006 Traffic Bench Guide

TYPE	CHARGE CODE	DESCRIPTION	ROC?
Ordin	9141504.0	Excessive BAC - prior offender	Y
Ordin	9142504.0	Drove comm mtr veh/BAC over .04%	Y
Ordin	9142703.0	Drove comm motor veh under influence of controlled substance	Y
Ordin	9143099.0	Drinking alcoholic beverage while operating moving vehicle	Y
Ordin	9143504.0	DWI - alcohol	Y
Ordin	9144004.0	DWI - alcohol - prior offender	Y
Ordin	9145003.0	DWI - drug intoxication	Y
Ordin	9145503.0	DWI - drug intoxication - prior offender	Y
Ordin	9146599.0	DWI - combined alcohol/drug intoxication	Y
Ordin	9147099.0	DWI - combined alcohol/drug intoxication - prior offender	Y
Ordin	9148099.0	Failed to comply with court order requiring use of ignition interlock device- 1st ofns	Y
Ordin	9148599.0	Failed to comply with court order requiring use of ignition interlock device-2nd ofns	Y
Ordin	9149099.0	Violation of ignition interlock restrictions	Y
Ordin	9161099.0	Drive across fire hose in use	Y
Ordin	9163099.0	Following fire vehicle	Y
Ordin	9190599.0	Improper backing	Y
Ordin	9190799.0	Weaving	Y
Ordin	9191099.0	Failed to drive on right half of roadway when roadway was of sufficient width	Y
Ordin	9191599.0	Failed to drive within single lane	Y
Ordin	9192099.0	Drove veh to left side of roadway when view obstructed by hill/curve	Y
Ordin	9192599.0	Drove veh to left side of roadway within 100 ft of bridge/viaduct/tunnel when view obstructed	Y
Ordin	9193099.0	Drove vehicle to left side of roadway within 100 ft of intersec/railroad grade crossing	Y
Ordin	9193299.0	Failure to obey RR restrictions	Y
Ordin	9193599.0	Fail to stop loaded bus or haz/inflam/corrosive materials truck for RR grade crossing	Y
Ordin	9194099.0	Made U-turn/interfered w/traffic where vision less than 300 ft - traffic hazard created	Y
Ordin	9194599.0	Failed to drive within single lane - cause immediate threat of accident	Y
Ordin	9195099.0	Failed to drive within single lane - resulting in an accident	Y
Ordin	9195599.0	Drove in center lane of 3 lane road when view obstructed/not clear of traffic	Y
Ordin	9196099.0	Drove in center lane of 3 lane road when view obstructed/not clear of traffic-cause immediate threat of accident	Y
Ordin	9196599.0	Drove in center lane of 3 lane road when view obstructed/not clear of traffic-resulting in accident	Y
Ordin	9197099.0	Drove wrong direction on street	Y

2006 Traffic Bench Guide

TYPE	CHARGE CODE	DESCRIPTION	ROC?
Ordin	9197599.0	Drove wrong direction on street - cause immediate threat of accident	Y
Ordin	9198099.0	Drove wrong direction on street - resulting in an accident	Y
Ordin	9198599.0	Failed to drive on right half of rdwy when rdwy was sufficient width-cause immediate threat of accident	Y
Ordin	9199099.0	Failed to drive right half of rdwy when rdwy was of sufficient width-resulting in an accident	Y
Ordin	9199399.0	Failure to stay on pavement	Y
Ordin	9199599.0	Illegal/improper turning	Y
Ordin	9200099.0	Turned right on red signal where prohibited by sign	Y
Ordin	9200599.0	Fail to signal/gave improper signal when stopping/ turning left or right	Y
Ordin	9201099.0	Entered/traveled in a lane over which a red signal was shown	Y
Ordin	9201299.0	Oper electric personal assistive mobility device on roadway when speed limit >45 mph	Y
Ordin	9201599.0	Made U-turn not at crossover	Y
Ordin	9202099.0	Made U-turn at intersec controlled by traffic signal/police officer	Y
Ordin	9202599.0	Made U-turn not at crossover - cause immediate threat of accident	Y
Ordin	9203099.0	Made U-turn not at crossover - resulting in accident	Y
Ordin	9203599.0	Followed another vehicle too closely	Y
Ordin	9203799.0	Overtake/pass a motor vehicle within a work or construction zone on a hwy divided into two or more lanes	Y
Ordin	9204099.0	Improper lane use	Y
Ordin	9204599.0	Truck over 18000 lbs followed another vehicle too closely	Y
Ordin	9205099.0	Followed another bus/truck closer than 300 ft	Y
Ordin	9205599.0	Fail to yield after stopping to vehicle that entered intersec/so close to cause hazard	Y
Ordin	9206099.0	Improper passing of a streetcar	Y
Ordin	9206599.0	Changed lanes when movement could not be made with safety	Y
Ordin	9207099.0	Changed lanes when movement could not be made with safety - cause immed threat of accident	Y
Ordin	9207599.0	Changed lanes when movement could not be made with safety-resulting in accident	Y
Ordin	9208099.0	Pass vehicle on right/traveled off main portion of road	Y
Ordin	9208599.0	Pass vehicle/interfered with approaching traffic	Y
Ordin	9209099.0	Stopped/slowed speed/turned from direct course/moved veh right/left when unsafe	Y
Ordin	9209599.0	Operate/transport implements of husbandry on roadway between sunset and sunrise	N
Ordin	9210099.0	Drove on bridge/hwy under construction/improvement that was closed by barriers	Y
Ordin	9210599.0	Fail to stop for school bus receiving/discharging school children	Y

2006 Traffic Bench Guide

TYPE	CHARGE CODE	DESCRIPTION	ROC?
Ordin	9211099.0	Oper truck w/person under 18 yrs of age riding in unenclosed bed of truck	N
Ordin	9211599.0	Drove comm veh with willful/wanton disregard for safety	Y
Ordin	9211899.0	Engage in speed competition	Y
Ordin	9212099.0	Hazardous driving - accident	Y
Ordin	9215099.0	Hazardous driving - other	Y
Ordin	9221099.0	No headlights when required	Y
Ordin	9221399.0	Failure to dim lights	Y
Ordin	9221599.0	Defective equipment	N
Ordin	9222099.0	Miscellaneous hazardous vehicular conditions	N
Ordin	9222502.0	Violate out-of-service order while transporting hazardous materials - 1st ofns	Y
Ordin	9223002.0	Viol out-of-service order while transporting hazardous materials-2nd/subs ofns	Y
Ordin	9223599.0	Viol out-of-state order while oper mtr veh designd to transport more than 15 passengers include driver-1st ofns	Y
Ordin	9224099.0	Viol out-of-service order while oper mtr veh designed to transport > 15 passngrs include driv - 2nd/subsqnt ofns	Y
Ordin	9231599.0	Excessive noise	N
Ordin	9272099.0	Minor in possession	N
Ordin	9273099.0	Public intoxication	N
Ordin	9273599.0	Open container	N
Ordin	9274099.0	Possess alcohol	N
Ordin	9274599.0	Miscellaneous alcohol	N
Ordin	9275099.0	Supplying alcohol to a minor	N
Ordin	9281099.0	More than 1 on motorcycle - prohibited	N
Ordin	9282099.0	Operate motorized bicycle on hwy/street without valid drivers license	Y
Ordin	9283099.0	Operate motorized bicycle on interstate highway	Y
Ordin	9284099.0	Fail to wear protective headgear when on motorcycle in motion/wear approved gear	Y
Ordin	9285099.0	Miscellaneous motorcycle violation	N
Ordin	9290199.0	Fail to obey traffic control devices	Y
Ordin	9290599.0	Red light violation	Y
Ordin	9291099.0	Fail to stop at stop sign at stop line/before crosswalk/point nearest intersec	Y
Ordin	9291599.0	Fail to turn as directed or required by intersec traffic control device	Y
Ordin	9292099.0	Fail to make/approach for right turn as close as practicable to right curb/edge of rdwy	Y

2006 Traffic Bench Guide

TYPE	CHARGE CODE	DESCRIPTION	ROC?
Ordin	9292599.0	Failed to proceed with caution past flashing yellow signal	Y
Ordin	9293099.0	Failed to stop for flashing red signal at stop line/ crosswalk/point nearest intersec	Y
Ordin	9293599.0	Failed to stop for steady red signal at crosswalk/ stop line/point nearest intersec	Y
Ordin	9294099.0	Failed to obey official signs temp designating lanes	Y
Ordin	9294599.0	Fail to obey official signs temp designating lanes-cause immediate threat of accident	Y
Ordin	9295099.0	Failed to obey official signs temp designating lanes - resulting in an accident	Y
Ordin	9295599.0	Cut in on overtaken vehicle	Y
Ordin	9296599.0	Failed to yield	Y
Ordin	9297099.0	Fail to slow to reasonable speed for existing conditions or stop for yield sign	Y
Ordin	9297599.0	Fail to yield to veh that had entered intersec with no traffic control	Y
Ordin	9298099.0	Fail to yield right of way to pedestrian facing walk signal	Y
Ordin	9298599.0	Fail to yield to approaching veh when entering/ crossing hwy from alley/driveway	Y
Ordin	9300099.0	Fail to yield to approaching veh when turning left into alley/private road/driveway	Y
Ordin	9300599.0	Fail to yield right of way to veh/pedestrian lawfully in controlled intersec/crosswalk	Y
Ordin	9301099.0	Fail to yield to veh on right that entered intersec at approximately same time	Y
Ordin	9301599.0	Fail to yield to veh approaching from opposite direction when turning left	Y
Ordin	9302099.0	Fail to yield to blind pedestrian with guide dog or white cane	Y
Ordin	9302599.0	Fail to yield to emergency veh sounding audible siren sign/dispaly lighted visible red/blue light	Y
Ordin	9302799.0	Excessive acceleration	Y
Ordin	9303099.0	Drive/funeral procession	Y
Ordin	9303599.0	Fail to yield right of way to organized funeral procession	Y
Ordin	9304099.0	Fail to stop or obey reasonable signal direction of hwy patrolman	Y
Ordin	9304599.0	Oper motor veh (required to have alternative fuel decal) on the hwy w/o valid decal	N
Ordin	9305099.0	Oper as an inter-state motor fuel user without being licensed as such	N
Ordin	9305599.0	Activated siren/warning lights on emergency veh when not in pursuit/on an emergency mission	Y
Ordin	9306099.0	Failed to make/approach for left turn within proper lane	Y
Ordin	9306599.0	Failed to stop at railroad tracks	Y
Ordin	9306799.0	Fail to slow at RR crossing	Y
Ordin	9306999.0	Fail to stop before RR crossing	Y
Ordin	9307099.0	Oper motor veh in a non-designated area in a park	Y
Ordin	9307299.0	Insufficient space to drive through RR	Y
Ordin	9307499.0	Insufficient undercarriage clearance RR crossing	Y

2006 Traffic Bench Guide

TYPE	CHARGE CODE	DESCRIPTION	ROC?
Ordin	9307599.0	Drove at such slow speed to impede/block normal and reasonable traffic movement	Y
Ordin	9308099.0	Miscellaneous moving violation	N
Ordin	9321001.0	Leaving the scene of a motor vehicle accident	Y
Ordin	9321501.0	Leaving the scene of a motor veh accident - injury/ property damage - 2nd ofns	Y
Ordin	9322001.0	Leaving the scene of ATV accident - injury	Y
Ordin	9322501.0	Leaving the scene of ATV accident - death or 2nd ofns	Y
Ordin	9323099.0	Oper comm mtr veh while driver is subject to an out-of-service order	Y
Ordin	9323599.0	Oper a comm mtr veh during continuous 24 hr out-of-service period - 2nd ofns	Y
Ordin	9324099.0	Oper a comm mtr veh during continuous 24 hr out-of-service period-3rd/subs ofns	Y
Ordin	9324599.0	Miscellaneous non-hazardous driving	N
Ordin	9325099.0	Obstructing traffic	Y
Ordin	9331099.0	Equipment violation	N
Ordin	9331599.0	Excessive noise - vehicular	Y
Ordin	9332099.0	Miscellaneous blocking of vehicle	N
Ordin	9332599.0	Cruising	Y
Ordin	9333099.0	Miscellaneous non-hazardous vehicle violation	N
Ordin	9340599.0	Failed to report accident	Y
Ordin	9341099.0	Failed to stop and report ATV accident to prop owner/injured person/police officer/law enforcemnt agency	Y
Ordin	9341599.0	Failed to place veh not in motion as near right hand side of road as practicable	N
Ordin	9342099.0	Fail to place veh not in motion as near right hand side of road as practicable - cause immed threat of accident	N
Ordin	9342599.0	Failed to place veh not in motion as near right hand side of road as practicable - resulting in accident	N
Ordin	9343099.0	Miscellaneous non-moving violation	N
Ordin	9351099.0	Contempt	N
Ordin	9352099.0	Fail to appear	N
Ordin	9353099.0	Fail to obey lawful order	N
Ordin	9353599.0	Fail to pay fine and costs	N
Ordin	9354099.0	Interfere with judicial process	N
Ordin	9355099.0	Miscellaneous - obstructing judicial process	N
Ordin	9361099.0	Angle parking violation	N
Ordin	9362099.0	Overtime parking	N

2006 Traffic Bench Guide

TYPE	CHARGE CODE	DESCRIPTION	ROC?
Ordin	9363099.0	Parking - prohibited time	N
Ordin	9364099.0	Handicapped parking violation	N
Ordin	9365099.0	Illegal park - taxi/limo/bus stand	N
Ordin	9366099.0	Parked causing obstruction	N
Ordin	9367099.0	Parked in area not designated for such parking	N
Ordin	9368099.0	Parked in "no-parking" zone	N
Ordin	9369099.0	Illegal parking - residential street/alley	N
Ordin	9370099.0	Miscellaneous parking violation	N
Ordin	9411099.0	Bicycle violation	N
Ordin	9412099.0	Bicycle violation - accident	N
Ordin	9413099.0	Miscellaneous pedestrian violation	N
Ordin	9414099.0	Hazardous pedestrian violation	N
Ordin	9451099.0	Expired plates	N
Ordin	9452099.0	Failed to provide proof of insurance	N
Ordin	9453099.0	Failed to register vehicle	N
Ordin	9454099.0	Vehicle license/inspection/title	N
Ordin	9481099.0	Driver of mtr veh failed to wear properly adjusted/ fastened safety belt	N
Ordin	9481599.0	Driver of mtr veh failed to secure child 4 yrs old - 16 yrs old in properly adjusted/fastened safety belt	N
Ordin	9482099.0	Person < 18 yrs of age operating/riding in truck failed to wear properly adjusted/fastened seat belt	N
Ordin	9485099.0	Seat belt violation - other	N
Ordin	9493099.0	Indecent exposure violation	N
Ordin	9500599.0	Speeding - school zone (1 - 5 mph over)	Y
Ordin	9501099.0	Speeding - school zone (6-10 mph over)	Y
Ordin	9501599.0	Speeding - school zone (11-15 mph over)	Y
Ordin	9502099.0	Speeding - school zone (16-20 mph over)	Y
Ordin	9502599.0	Speeding - school zone (21-25 mph over)	Y
Ordin	9503099.0	Speeding - school zone (26-30 mph over)	Y
Ordin	9503599.0	Speeding - school zone (31-35 mph over)	Y
Ordin	9504099.0	Speeding - school zone (36 mph and over)	Y
Ordin	9510599.0	Speeding - construction zone (1-5 mph over)	Y
Ordin	9511099.0	Speeding - construction zone (6-10 mph over)	Y

2006 Traffic Bench Guide

TYPE	CHARGE CODE	DESCRIPTION	ROC?
Ordin	9511599.0	Speeding - construction zone (11-15 mph over)	Y
Ordin	9512099.0	Speeding - construction zone (16-20 mph over)	Y
Ordin	9512599.0	Speeding - construction zone (21-25 mph over)	Y
Ordin	9513099.0	Speeding - construction zone (26-30 mph over)	Y
Ordin	9520599.0	Speeding (1-5 mph over)	Y
Ordin	9521099.0	Speeding (6-10 mph over)	Y
Ordin	9521599.0	Speeding (11-15 mph over)	Y
Ordin	9522099.0	Speeding (16-19 mph over)	Y
Ordin	9522599.0	Speeding (20-25 mph over)	Y
Ordin	9523099.0	Speeding (26-30 mph over)	Y
Ordin	9523599.0	Speeding (31-35 mph over)	Y
Ordin	9524099.0	Speeding (36-40 mph over)	Y
Ordin	9524599.0	Speeding (41-45 mph over)	Y
Ordin	9525099.0	Speeding (46-50 mph over)	Y
Ordin	9525599.0	Speeding (51 mph and over)	Y
Ordin	9550099.0	Miscellaneous speeding	N
Ordin	9621099.0	Discharging/shooting a firearm at or from a motor vehicle - physical injury/death	N
Ordin	9622099.0	Discharging/shooting a firearm at or from a motor vehicle	N
Ordin	9630599.0	Deceiving law enforcement officer	N
Ordin	9631099.0	Resisting arrest	N
Ordin	9632099.0	Misusing "911"	N
Ordin	9632599.0	Eluding police officer	Y
Ordin	9633099.0	Gave false information to officer	Y
Ordin	9639099.0	Miscellaneous obstructing police	N
Ordin	9640599.0	Contributing to delinquency of minor	N
Ordin	9642099.0	Endangering welfare of child	N
Ordin	9802099.0	Increased speed while being passed	Y
Ordin	9803099.0	Knowingly fail to prov DOR w/in 10 days the notification reqs of a bus driver who failed to pass drug/alcohol test	N
Ordin	9804099.0	Falsifying odometer reading	N
Ordin	9805099.0	Odometer fraud - 1st degree	N
Ordin	9806099.0	Odometer fraud - 2nd degree	N

2006 Traffic Bench Guide

TYPE	CHARGE CODE	DESCRIPTION	ROC?
Ordin	9807099.0	Odometer fraud - 3rd degree	N
Ordin	9808099.0	Removing/altering posted notice in vehicle indicating true mileage	N
Ordin	9809099.0	Miscellaneous ordinance violation	N

Commercial Drivers License

Missouri can issue only one drivers license to each person. A person **will not** have a separate license to operate a non-commercial and commercial motor vehicle. **Every** driver must qualify for a “base driving privilege” in order to drive **any** motor vehicle. When a driver has or qualifies for a “base driving privilege” and meets the additional requirements for a “commercial driving privilege”, a commercial drivers license may be issued. The “commercial driving privilege” overlays the “base driving privilege” similar to the way a “trout stamp” overlays a “fishing license”. A driver can have a “base driving privilege” without a “commercial driving privilege” **but** a driver **can not** have a “commercial driving privilege” without also having a “base driving privilege”. One might lose the “commercial driving privilege” and retain the “base driving privilege”, but if you lose the “base driving privilege”, the “commercial driving privilege” is lost with it. Section [302.705.1](#)

Points will accumulate against the “base driving privilege” even if the offense occurred in a CMV.

For CDL purposes under Section [302.700](#):

A **conviction** means:

- A plea of guilty
- A plea of nolo contendere
- 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
- The payment of court costs
- The violation of a condition of release without bail regardless of whether the penalty is rebated, suspended or prorated

Driving under **influence of alcohol** means:

- Driving a CMV with a .04 BAC
- Driving any vehicle while intoxicated in violation of any law
- Driving any vehicle with a BAC in violation of any law
- Refusing to take a chemical test
- Having any state, county or municipal alcohol-related enforcement contact

Disqualifications & Serious Traffic Violations

A **disqualification or out-of-service order** is a loss of only a driver's commercial driving privileges 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 privilege. 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 Chapter [302.700](#) to [302.780](#) in order to get another CDL.

60 Days Disqualification

- Two ***serious traffic*** 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.** ***Serious traffic*** convictions 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 convictions 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.
- One railroad-highway grade crossing violation while person is operating a CMV.

90 Days Disqualification

- First traffic conviction for violating an out-of-service order while person is operating a CMV.

120 Days Disqualification

- Three or more ***serious traffic*** 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. ***Serious traffic*** convictions 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 convictions 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.
- Second railroad-highway grade crossing violation while person is operating a CMV.

180 Days Disqualification

- 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 a CMV with a BAC of 0.04% or higher.
- Driving while under the influence of alcohol or drugs if the person is a CDL holder or if person is operating a CMV.
- Refusing blood and/or breath test if the person is a CDL holder or if person is operating a CMV.
- Failing to stop at the scene of an accident if the accident causes injury or death.
- Using a 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 listed under one- year disqualification while 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

- 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.

Driver Improvement Programs

No driver improvement program in lieu of points is currently allowed for offenses that are committed in a CMV. Beginning September 30, 2005, driver improvement programs 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.

Limited Driving Privileges

Beginning September 30, 2005, Limited Driving Privileges (LDP) will no longer be issued to operate a CMV during any period of suspension, revocation, cancellation, or disqualification.

CDL with School Bus Endorsement

Beginning May 31, 2005, 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 obtain approval by meeting current medical, fingerprint based criminal records check, and child abuse and neglect registry checks. Pending the results of the criminal background checks, the driver may be eligible for a temporary license with the S endorsement. Missouri license holders will no longer be issued a separate school bus permit document. Commercial license holders are required to have a passenger (P) endorsement on the face of their CDL to be eligible for the S endorsement.

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.

Masking of Traffic Violations for CDL Drivers Not Allowed

Beginning September 30, 2005, the courts are no longer allowed 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.

What is considered “masking” under the Motor Carrier Safety Improvement Act (MCSIA)?

The Missouri Department of Revenue requested clarification from the Federal Motor Carrier Safety Administration regarding the masking provisions outlined in the Motor Carrier Safety Improvement Act that became effective on September 30, 2005. The following scenarios were addressed and responses published on March 20, 2006.

Note) FMCSA: 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 such as traffic school to get the conviction erased.

Situation #1: CDL holder issued traffic citation for Driving While Intoxicated in his private vehicle. Prosecutor reviews the records and determines that there is a problem with the evidence and decides not to prosecute the case, so no charges are filed with court. No conviction is entered.

Response) FMCSA: No violation of 49 CFR §383/384. The federal CDL regulations require a conviction as defined by [§383.5](#). In this case, the evidence did not support the burden of proof to be properly adjudicated by the prosecutor and there were no excepted actions taken to otherwise circumvent the regulations (i.e., no masking or diversion of the offense or penalty).

Situation #2: CMV operator is issued traffic citation for "Careless and Imprudent" driving. Prosecutor files charges for "Careless and Imprudent Driving". Case goes to trial and contrary evidence is presented by operator to show he was not driving in a careless and imprudent manner and court ultimately dismisses the case.

Response) FMCSA: No violation of 49 CFR §383/384. Again, the federal regulations require a conviction and in this case the court found flawed or lacking evidence to convict the driver on the offense cited. There were no excepted actions taken by the court to otherwise circumvent the regulations (i.e., no masking or diversion of the offense or penalty). Ultimately, the driver in this case received his/her day in court and prevailed.

Situation #3: CMV operator issued traffic citation for "Improper lane change in a CMV". Prior to the citation being filed with the court the prosecutor determines to only file the charge as a "defective muffler". Final conviction is for "defective muffler" and that is the only charge ever signed by the prosecutor or filed with the court.

Response) FMCSA: This practice is not in violation of 49 §CFR [384.226](#) because the violation was reduced before a judgment of guilt was pronounced. Before we can apply the conditions in 49 §CFR [384.226](#) to determine whether masking has taken place, there

has to be a judgment of guilt (conviction) for a violation. The masking provision in 49 CFR [§384.226](#) do not prevent plea bargaining from taking place.

Situation #4: CDL holder is issued a traffic citation for "Excessive Speed" in private vehicle (speeding 75 mph in 60 mph zone). After original charge is filed with court, prosecutor amends original charge to "Speeding 65 mph in a 60 mph zone". Final conviction is for Speeding 65 mph in a 60 mph zone.

Response) FMCSA: This practice is not in violation of 49 §CFR [384.226](#) because the violation was reduced before a judgment of guilt was pronounced. Before we can apply the conditions in 49 §CFR [384.226](#) to determine whether masking has taken place, there has to be a judgment of guilt (conviction) for a violation. The masking provision in 49 CFR [§384.226](#) do not prevent plea bargaining from taking place.

Situation #5: CDL holder operating a non-commercial vehicle and is issued a traffic citation for "Failure to Yield Right of Way". Prosecutor files charges for "Failure to Yield Right of Way". Court convicts person of "Failure to Yield Right of Way" and the conviction is posted in the driver's record, but allows a Driver Improvement Program in lieu of having the director assess points on the Missouri driving record.

Response) FMCSA: The failure to assign "points" does not violate 49 CFR §383/384. However, if the federal regulations required the imposition of a disqualification period for the convicted offense and the court then allowed a Driver Improvement Program in lieu of having the director impose a disqualification for the prescribed period of time this would be in violation of 49 CFR [§384.215/284.213/384.231](#) as a diversion deferral program.

Situation #6: CMV operator is issued a traffic citation for "Operating a CMV while Suspended/Revoked/ Withdrawn". Prosecutor files charges for "Operating CMV while license suspended/revoked/ withdrawn". Final conviction is for "Operating CMV while license suspended/revoked/withdrawn. Later, court allows attorney for CMV operator to withdraw original plea and conviction and after new court hearing, court ultimately enters a conviction for "Improper CDL Class/Endorsement".

Response) FMCSA: This is not in violation of 49 CFR [§384.226](#) because the court vacated (withdrew) the original conviction or adjudication of guilt. By granting the attorney's request to vacate (withdraw) the original plea and conviction, the court has nullified the conviction. The definition of "conviction" in 49 CFR [§383.5](#) defines a conviction to mean "an unvacated adjudication of guilt".

b) Disqualification for major offenses. Table 1 to §383.51 contains a list of the offenses and periods for which a driver must be disqualified, depending upon the type of vehicle the driver is operating at the time of the violation, as follows:

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.

(c) **Disqualification for serious traffic violations.** Table 2 to [§383.51](#) contains a list of the offenses and the periods for which a driver must be disqualified, depending upon the type of vehicle the driver is operating at the time of the violation, as follows:

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.

(d) **Disqualification for railroad-highway grade crossing offenses.** Table 3 to [§383.51](#) contains a list of the offenses and the periods for which a driver must be disqualified, when the driver is operating a CMV at the time of the violation, as follows:

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.

(e) **Disqualification for violating out-of-service orders.** Table 4 to [§383.51](#) contains a list of the offenses and periods for which a driver must be disqualified when the driver is operating a CMV at the time of the violation, as follows:

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 90 days or more than 1 year.	No less than 1 year 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]

ABUSE & LOSE

(Court ordered loss of license for alcohol or drug-related convictions)

Under 21 pursuant to Section 577.500.1:

***First offense** - 90 day suspension

***Second offense** - Loss of driver's license for one year, no retest required

Under 21, but more than 15 years old, pursuant to Section 577.500.2 (minor in possession):

***First offense** - 30 day suspension

***Second offense** - 90 day suspension

***Third offense** - one year revocation

Over 21:

***Any offense** - offender over 21 and drug-related offense one year revocation

Reinstatement Requirements

*Pay \$45.00

*File proof you completed a SATOP program

*Eligible for:

Limited Driving Privilege - Yes

Restricted Driving Privilege - No

Expungement – Yes (Section 311.326)

Note: Section 311.326 RSMo authorizes one expungement of a Section 311.325 RSMo convictions if certain circumstances are met. No other expungements are authorized under the abuse and lose statutes.

Classifications of DWI Offenses

DWI 577.010 -1st Offense

- SIS only if given 2 years probation
- CDL – No SIS
- B Misdemeanor

DWI 577.010 – Prior Offender

- No SIS
- No Fine in lieu of imprisonment
- Minimum sentence 5 days unless ordered to perform 30 days of community service
- A Misdemeanor

DWI 577.010 – Persistent Offender

- No SIS
- No Fine in lieu of imprisonment
- Minimum sentence 10 days unless ordered to perform 60 days of community service
- D Felony

DWI 577.010 – Priors

- Priors must be pled and proved
- Charge code alone not sufficient
- Must make finding beyond a reasonable doubt

DWI 577.010 – Aggravated Offender

- No SIS
- No Fine in lieu of imprisonment
- No Probation or Parole until serving a minimum sentence of 60 days
- C Felony

DWI 577.010 – Chronic Offender

- No SIS
- No Fine in lieu of imprisonment
- No Probation or Parole until serving a minimum sentence of 2 years
- B Felony

LIMITED DRIVING PRIVILEGES

FILING REQUIREMENTS (See 302.309.3(1))

1. Must be filed in county of residence or principal place of employment
2. May be filed in Circuit Court or with Director of Revenue
3. Petition shall name Director of Revenue as defendant and must include SR-22 filing and a copy of driving record
4. Can 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) for any good cause shown creating undue hardship on operator
5. Ignition interlock device is mandatory if second or subsequent intoxicated related offense

HARDSHIP APPLICATION MAY BE DENIED FOR THE FOLLOWING REASONS:

GENERAL DENIALS (See 302.309.5 AND 302.309.6 RSMo)

1. too young (under 18 in commerce)
2. too young (under 16)
3. habitual alcoholic or drug user
4. incapacitated person
5. anyone who has failed exam
6. unsatisfied judgment (Chapter 303)
7. failure to disclose ID after accident
8. conviction of involuntary manslaughter while intoxicated
9. out of state convictions (compact violations) or out of state violations
10. conviction of any felony involving motor vehicle
11. conviction for operating under influence of drugs
12. leaving scene of accident
13. previously granted hardship within past 5 years (see also 302.309.3 (7))

ALCOHOL RELATED DENIALS

REFUSAL TO TAKE TEST

1. 1st offense-must wait 90 days (302.309(5)(e))
2. 2nd offense or more - Denial (302.309(5)(f))

ADMINISTRATIVE BAC DENIALS

1. 1st offense - 30 day hardwalk
2. prior alcohol related offense within five (5) years - one (1) year hardwalk

DWI/BAC DENIALS

1. must wait 30 days of suspension/revocation
2. five (5) year license denial - must wait two (2) years if two convictions with counsel or waiver and judge/lawyer and no alcohol or drug convictions since (see 302.060(9))
3. ten (10) year denial - must wait three (3) years if three conviction with counsel or waiver and judge/lawyer and no alcohol or drug convictions since (see 302.060(10))

CDL DENIALS - See CDL disqualification sheet

Commercial Driver's License

Disqualifications

- a. Off. rel to com. veh.
- b. Convictions incl guilty conv, fine non-payment, admin proc. violations, failure to appear, cond of release violations
- c. No pt waiver for CMV viol
- d. Includes SIS
- e. Serious Tr. Viol (STV)
 - 1. >15 mph over sp limit
 - 2. careless/reck. dr.
 - 3. conv from fatal acc.
- f. 60 day disqual = 2 or > STV in 3 yrs; 3 or more 120 days
- g. 1 yr disqualification
 - 1. .04 >BAC
 - 2. DWI w. CMV
 - 3. Op of CMV w/>.10 BAC
 - 4. BAC refusal
 - 5. CMV admin susp/rev/
 - 6. Op under cont sub inf.
 - 7. Drug test ref.
 - 8. LSA-CMV
 - 9. Use of CMV in fel.
- h. Ten year disqual.
 - 1. Second conv of off in g.
- i. Lifetime disqual.
 - 1. Fel re: manu, dist, disp, cont. sub. or poss. w/intent to manu, dist, disp

Reinstatement

- a. 60/120 disqual
 - 1. End of period of dis.
 - 2. No fee, SR-22
 - 3. Comply w/sus./rev req
- b. 1-3 year disqual.
 - 1. Complete a. and CDL wr. exam
- c. 10 year disqual.
 - 1. Apply
 - 2. No alc/dr. conv.
 - 3. Al/dr program compl.
 - 4. No vio op CMV
 - 5. Complete exam

Refusal

- a. 302.750 Imp. C.
 - 1. Arrest no req.
 - 2. Prob. c. any alc.
 - 3. No > 2 tests
- b. Warning
 - 1. out of service
 - 2. disqual – 1 yr
- c. Pet for Rev.
 - 1. County of arrest
 - 2. Reas gr to believe dr CMV with any alc/cont. sub.
 - 3. Refusal
- d. Can submit §577.041 ref for CMV

Hardship Priv.

- a. C1. A,B,C, denied if disqual
- b. If Cl. E or F sus/rev elig for HDP
- c. If sus/rev & disqual may operate E & F w/HDP
- d. If op CMV during hardship 2 year rev of CMV priv

DWI

Offenses

- a. DWI, 577.010
- b. BAC, 577.012
- c. County, Mun. Ord

Stop & Arrest

- a. Reas Susp to Stop
 - Fresh pursuit
- b. Prob. C. to Arrest
 - drive/op (in int. cond/
drugged condition)
- c. Field Sob Tests
 - HGN
- d. Miranda
- e. Arrest w/o warrant 1 ½
hour rule
 - unless LSA/removed
for medical reasons
- f. Sobriety checkpoints
- g. Chem tests
 - Imp. C.
- h. Refusal (adm)

Chem Test

- a. Blood, breath,
urine, saliva
- b. Prel. Test
- c. Foundation
 - DOH Regs
- d. Video FS &
Chem Test

Trial

- a. Proof of Elements
 - circ. Ev.
 - operation
 - Corpus delecti
 - Scientific ev.
- b. Evidence
 - Video of FS &
Chem Test
 - Refusal adm.
- c. Defenses
 - necessity?

Sentencing

- a. Range of Pun.
 - Cl. B Mis (DWI – 1st)
 - Cl. B Mis (BAC – 1st)
 - Cl. A Mis (Prior Offense)
 - Cl. D Fel (Per. off)
- b. Inv. Mans. (565.024)
 - 1st degree Cl. C.Fel
 - 2nd degree Cl. D.Fel
- c. Assault w/Auto (565.060)
 - Cl. C. Fel
- d. Mun./Cty Off
- e. Prior/Pers. Off
 - Prior Off. No SIS 5 days jail, 20
days CS (577.023.4)
 - Pers. Off. No SIS 10 days jail,
60 days CS
 - Int. Re. Tr. Off. (BAC, DWI,
DUI, - lawyer j./waive c.)
- f. Enhancement
 - Alc. Rel. Enf. C.
- g. Prior Conv.
 - proof Cert. rec.
 - counsel
- h. Recoupment (577.048)
- i. SATOP
- j. Expungement – 10 yrs no alc. Re.
Enf. (577.054) 1st offense only
- k. Interlock device order (577.600 et
seq.)
 - mandatory 2nd or subsequent
offense

Admin BAC
§302.500 – et seq.
(Prob. C/ to believe BAC > .08)

Arrest

- a. Prob c. alc. rel. off
 - 1. can be determined after stop
- b. BAC > .08 (time of test)
- c. Not. served/mailed
- d. Cert. off.
- e. 0 tolerance
 - 2. 02 test
 - 3. Prob c DWI/BAC or tr. off.
 - 4. No effect if ref.

Appeal

- a. Within 15 days
- b. Send driver's license
- c. Stays susp.
- d. Cty where arrested
 - 1. By phone
- e. Records adm.

Trial De Novo

- a. 15 days after not. mailed
- b. County of Arrest
- c. No Stay
 - Restricted license after 30 days (No. SR 22)
- d. Bench trial
- e. Civil Proceeding
- f. Bur of Proof on State
- g. Discovery – info in DOR file
- h. Excl. Rule., 5th Amendment don't apply
- i. No coll. est effect crim/civil

Susp/Rev/Reinst.

- a. 30 day hard walk (if no alc. enf. contact)
- b. 60 day lim. dr. priv after 30 days
- c. Rev/1yr hard walk (>1 alc enf C. prior 5 years)
- d. Reinst.
 - 1. Complete alc program
 - 2. Fin Resp. not 0 tolerance
 - 3. Reinst fee
 - 4. If revoked re-examined
- e. 0 tolerance
 - 1. expungement of records unless subsequent or alc. related tr. offense

Hardship Licenses
§302.309

- Filing**
- a. County of res./empl.
 - 1. can file w/DOR
 - b. Pet. for Review
 - c. Dir. named as def.
 - d. SR22 Filing/Cert. copy of Dr. Record
 - e. Purposes
 - 1. Empl.
 - 2. Med. Tr.
 - 3. Education
 - 4. Treatment (ALC)
 - 5. Good cause
 - f. Ignition Interlock Device
 - 1. Mandatory if 2nd or sub. Int. rel. tr. off.

Denials

- DWI/BAC**
- a. 30 days served
 - b. 10 yr denial 1.3 conv. counsel, judge-lawyer waived 2.3 yr wait (no alc/dr conv)
 - c. 5 yr denial 1.2 conv. counsel, judge-lawyer waived 2.2 yr wait (no alc/dr conv)

- Admin BAC**
- a. 30 day hard walk 1st violation
 - b. 1 yr hard walk (prior alc. enf. c. within 5 yrs)

- General**
- a. Too young
 - b. Hab./dr. addict
 - c. Incapacitated
 - d. Failed exam
 - e. Veh. Felony
 - f. Unsat. J.
 - g. Failure to Disc. ID/Acc.
 - h. Conv. Of inv. mansl/int
 - i. Out of State susp/rev. (compact)
 - j. Outstanding out St. viol.
 - k. Conv of OP und Inf. Drug
 - l. Leaving Scene – St. Law
 - m. Hardshin within 5 vrs

- Refusal**
- a. 1st ref/90 day hard walk
 - b. More than 1 ref. denial - doesn't apply to 5/10 yr denial

- Comm. Driver's License**
- a. CDL disqual (see CDL sheet)

Related Links

Traffic Bench Guide	http://www.courts.mo.gov/courts/benchguides.nsf
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/fr/index.html
FedLaw	http://www.thecre.com/fedlaw/default.htm
FMCSA - Federal Motor Carrier Safety Administration	http://www.fmcsa.dot.gov/
Home National Highway Traffic Safety Administration(NHTSA)	http://www.nhtsa.dot.gov/
LII U.S. Code Home	http://assembler.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 - 2006 Issues	http://www.sos.mo.gov/adrules/moreg/moreg.asp
Missouri Revised Statutes	http://www.moga.mo.gov/statutesearch/
National Center for State Courts	http://www.ncsconline.org/
Reference Center and General Government, on FirstGov.gov	http://www.firstgov.gov/Topics/Laws
THOMAS (Library of Congress)	http://thomas.loc.gov/
United States Code Main Page	http://www.gpoaccess.gov/uscode/index.html

<http://www.courts.mo.gov/courts/benchguides.nsf>