

**OPINION SUMMARY**  
**MISSOURI COURT OF APPEALS EASTERN DISTRICT**  
**DIVISION FOUR**

ROBERT L. ADDISON, JR.,	)	No. ED93030
	)	
Respondent,	)	Appeal from the Circuit Court of
	)	St. Louis County
	)	
vs.	)	Honorable Barbara W. Wallace
	)	
	)	Cause No. 08SL-AC38873
DIRECTOR OF REVENUE, STATE OF	)	
MISSOURI,	)	
	)	
Appellant.	)	Filed: January 26, 2010
	)	

The Director of Revenue (hereinafter, “the Director”) appeals from the judgment of the St. Louis County Circuit Court finding Section 302.525.4 RSMo (2000)<sup>1</sup> “restricts the [Director] from imposing a double period of suspension” and ordering the Director to reinstate Robert L. Addison, Jr.’s (hereinafter, “Driver”) commercial driving privileges. Specifically, the Director asserts that: (1) Section 302.755 requires the Director to disqualify a person from driving a commercial motor vehicle for one year if that person is convicted of driving while intoxicated, and (2) Section 302.525.4 does not entitle Driver to a one-year credit toward his commercial driving privileges disqualification beginning October 20, 2008.

REVERSED AND REMANDED.

Division IV Holds: The Director properly imposed a one-year disqualification of Driver’s commercial driver’s license as required by Section 302.755 because Driver was “convicted” under Section 302.700.2(8) when he pleaded guilty to driving while intoxicated in violation of Section 577.010 and received a suspended imposition of sentence. Furthermore, Driver cannot receive a one-year credit under Section 302.525.4 because: (1) Section 302.525.4 does not apply to Driver’s case as Driver’s license was not suspended under Section 302.525; and (2) furthermore, even if Section 302.525.4 applied to Driver’s case, he would not qualify for a one-year credit under the statute as only suspensions imposed under Section 302.500 through 302.540 should be credited against other suspensions imposed under Chapter 302.

Opinion by: George W. Draper III, J.

Kurt S. Odenwald, P.J., Gary M.  
Gaertner, Jr., J., concur

Attorneys for Appellants: Chastidy R. Dillon-Amelung  
Attorney for Respondents: Stephen L. Nangle

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<sup>1</sup> All statutory references are to RSMo (2000) unless otherwise indicated.

**THIS SUMMARY IS NOT PART OF THE OPINION OF THE COURT. IT HAS BEEN PREPARED FOR THE CONVENIENCE OF THE READER AND SHOULD NOT BE QUOTED OR CITED.**