OPINION NO. 462 answered by letter.

FILED
84

December 26, 1961

Honorable Edward W. Speiser
Prosecuting Attorney
Chariton County
Salisbury, Missouri

Dear Mr. Speiser:

This is in response to your letter of December 20, 1961, concerning the imposition of penalties provided for in Section 302.321 and whether or not such penalties apply only to nonresidents.

Section 302.321, as amended by the General Assembly in 1961, clearly applies to both residents and nonresidents. As the plain meaning of the language used indicates: "Any person whose operator's or chauffeur's license, or driving privilege as a nonresident, has been canceled, suspended or revoked as provided in this chapter, . . ." This clause refers to three things: (1) Revocation of an operator's license, (2) revocation of a chauffeur's license, and (3) revocation of nonresident driving privileges.

The section goes on to provide for a penalty of not more than one year in jail, and further provides that the section quoted shall not be imposed against those whose operator's license, chauffeur's license, or nonresident driving privileges have been canceled, suspended or revoked under the terms of Chapter 303, RSMo 1959.

Trusting that this will suffice to answer your question, I am

Yours very truly,

THOMAS F. EAGLETON
Attorney General

HLMcF:ml