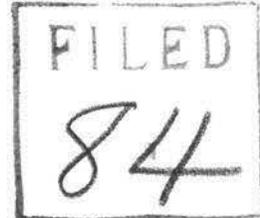


February 4, 1964



Honorable M. E. Morris
Director
Department of Revenue
P. O. Box 200
Jefferson City, Missouri 65102

Re: Opinion No. 84

Dear Mr. Morris:

Answering your opinion request dated January 30, 1964,
asking:

"Does a Magistrate Court have authority to grant limited driving privilege under Section 302.309 RSMo. to a person convicted in his court of Driving while Intoxicated for the first time under Section 564.440 Revised Statutes of Missouri?"

I enclose herewith Opinion No. 20, dated April 2, 1962, to Bill Davenport, which, I believe, answers your question.

The enactment of Section 564.440(5) by the 1963 Legislature does not alter my opinion that only the circuit court has jurisdiction to grant the limited hardship driving privilege.

Yours very truly,

THOMAS F. EAGLETON
Attorney General

JGS:10

Enclosure