

FILED
207

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OPINION NO. 207
(Ans by Letter)

Mr. Howard J. Turnbull
Supervisor
Drivers License Registration
Department of Revenue
Jefferson City, Missouri

Dear Mr. Turnbull:

On December 18, 1962, I wrote to you with reference to a license revocation you had issued, wherein the licensee had pleaded guilty to the charge of leaving the scene of the accident, but the court had suspended the imposition of the sentence. With reference to that particular case, I told you that under the point system, points were only to be assessed against a "final conviction" and that such a conviction carries with it a concept of a sentence being imposed. Points were not to be imposed when the imposition of sentence is stayed.

Yesterday you asked me about those situations where a sentence has been imposed but the execution of the sentence has been suspended. For example, you claim that you receive quite a few conviction notices wherein it states that the licensee pleaded guilty or was convicted of an offense, that he was fined, but the judge stayed the execution of the fine.

In line with my letter of December 18th, it is my belief that once sentence has been imposed, the licensee has received a final conviction. You should assess the appropriate number of points under Chapter 302. This is true even though the judge suspends the execution of the penalty.

Yours very truly,

/s/ Eugene G. Bushmann

Eugene G. Bushmann
Assistant Attorney General