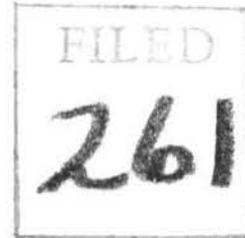


Opinion No. 261
Answered by Letter (Klaffenbach)

June 14, 1968



Honorable James E. Spain
State Representative, 151st District
Stoddard County
Bloomfield, Missouri 63825

Dear Representative Spain:

We are in receipt of your request for an opinion which states as follows:

"It has been called to my attention that the Missouri Department of Revenue is issuing orders for the suspension and revocation of chauffeurs and operator's license and of license plates under the provisions of the Missouri Point System. Under the provisions of 302.302 RSMo. it is stated that the Director of Revenue shall put into effect a point system for the suspension and revocation of chauffeurs and operator's license. This section makes no provision for the suspension or revocation of the license plates. Under section 302.304 it is stated that the Director shall suspend the operating privileges of a person under certain conditions. This section also does not make any reference to the suspension of the license plates. However, in spite of this, the Department continues to issue order to the Highway Patrol asking that they pick up the license plates. * * * "

We call your attention to Chapter 303, the Motor Vehicle Safety Responsibility Law, and particularly Section 303.150, RSMo, which states:

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"1. Whenever the director, under any law of this state, suspends or revokes the license of any person upon receiving record of a conviction or a forfeiture of bail, the director shall also suspend the registration for all motor vehicles registered in the name of such person, except that he shall not suspend such registration, unless otherwise required by law, if such person has previously given or shall immediately give and thereafter maintain proof of financial responsibility with respect to all motor vehicles registered by such person.

"2. Such license and registration shall remain suspended or revoked and shall not at any time thereafter be renewed, nor shall any license be thereafter issued to such person, nor shall any motor vehicle be thereafter registered in the name of such person, until permitted under the motor vehicle laws of this state, and not then unless and until he shall give and thereafter maintain proof of financial responsibility.

"3. If a person is not licensed, but by final order or judgment is convicted of or forfeits any bail or collateral deposited to secure an appearance for trial for any offense requiring the suspension or revocation of license, or for operating a motor vehicle upon the highways without being licensed to do so, or for operating an unregistered motor vehicle upon the highways, no license shall be thereafter issued to such person and no motor vehicle shall continue to be registered or thereafter be registered in the name of such person, until he shall give and thereafter maintain proof of financial responsibility.

"4. Whenever the director suspends or revokes a nonresident's operating privilege by reason of a conviction or forfeiture of bail, such privilege shall remain so suspended or revoked unless such person shall have previously given or shall immediately give and thereafter maintain proof of financial responsibility." (Emphasis supplied.)

These provisions of Section 303.150 RSMo, clearly require the director of revenue to suspend the registration of all such

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vehicles.

Yours very truly,

NORMAN H. ANDERSON
Attorney General