

CHAPTER 77: TRAFFIC VIOLATIONS BUREAU

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GENERAL PROVISIONS

§ 77.01 VIOLATIONS OF TRAFFIC ORDINANCES AND LAWS.

(A) The judge of the court in which violations of the municipal ordinances are heard may establish a Traffic Violations Bureau to assist the court with the clerical work of traffic cases.

(B) The Judge of the County Circuit Court, Municipal Division who hears traffic cases shall designate the specified offenses under this law or under the traffic ordinances of the city and the state traffic laws in accordance with Supreme Court Rule No. 37.49 in respect to which payments of fines may be accepted by the Traffic Violations Bureau in satisfaction thereof, and shall specify suitable schedules the amount of such fines for first, second, and subsequent offenses, provided such fines are within the limits declared by law or ordinance, and shall further specify what number of such offenses shall require appearance before the court.

(Prior Code, § 370.005) (Ord. 264, passed 8-3-1993)

§ 77.02 WHEN PERSON CHARGED MAY ELECT TO APPEAR AT BUREAU.

(A) Any person charged with an offense for which payment of a fine may be made to the Traffic Violations Bureau shall have the option of paying such fine within the time specified in the notice of arrest at the Traffic Violations Bureau upon entering a plea of guilty and upon waiving appearance in court; or may have the option of depositing required lawful bail, and upon a plea of not guilty shall be entitled to a trial as authorized by law.

(B) The payment of a fine to the Bureau shall be deemed an acknowledgment of conviction of the alleged offense, and the Bureau, upon accepting the prescribed fine, shall issue a receipt to the violator acknowledging payment thereof.

(Prior Code, § 370.010)

§ 77.03 DUTIES OF TRAFFIC VIOLATIONS BUREAU.

The following duties are hereby imposed upon the Traffic Violations Bureau in reference to traffic offenses:

(A) It shall accept designated fines, issue receipts, and represent in court such violators as are permitted and desire to plead guilty, waive court appearance, and give power of attorney; and

(B) It shall receive and issue receipts for cash bail from the persons who must or wish to be heard in court, enter the time of their appearance on the court docket, and notify the arresting officer and witnesses, if any, to be present.

(Prior Code, § 370.020)

§ 77.04 TRAFFIC VIOLATIONS BUREAU TO KEEP RECORDS.

The Traffic Violations Bureau shall keep records and submit to the judges hearing violations of city ordinances summarized monthly reports of all notices issued and arrests made for violations of the traffic laws and ordinances in the city and of all the fines collected by the Traffic Violations Bureau or the court, and of the final disposition or present status of every case of violation of the provisions of said laws and ordinances. Such records shall be so maintained as to show all types of violations and the totals of each. Said records shall be public records.

(Prior Code, § 370.030)

§ 77.05 ADDITIONAL DUTIES OF TRAFFIC VIOLATIONS BUREAU.

The Traffic Violations Bureau shall follow such procedure as may be prescribed by the traffic ordinances of the city or as may be required by any laws of this state.

(Prior Code, § 370.040)

PROCEDURE ON ARREST**§ 77.20 FORMS AND RECORDS OF TRAFFIC CITATIONS AND ARRESTS.**

(A) The city shall provide books containing uniform traffic tickets as prescribed by Supreme Court Rule. Said books shall include serially numbered sets of citations in quadruplicate in the form prescribed by Supreme Court Rule.

(B) Such books shall be issued to the Chief of Police or his or her duly authorized agent, a record shall be maintained of every book so issued and a written receipt shall be required for every book. The judge or judges hearing city ordinance violation cases may require that a copy of such record and receipts be filed with the court.

(C) The Chief of Police shall be responsible for the issuance of such books to individual members of the Police Department. The Chief of Police shall require a written receipt for every book so issued and shall maintain a record of every such book and each set of citations contained therein.
(Prior Code, § 375.010)

§ 77.21 PROCEDURE OF POLICE OFFICERS.

Except when authorized or directed under state law to immediately take a person before the Municipal Judge for the violation of any traffic laws, a police officer who halts a person for such violation other than for the purpose of giving him or her a warning or warning notice and does not take such person into custody under arrest, shall issue to him or her a uniform traffic ticket which shall be proceeded upon in accordance with Supreme Court Rule Number 37.
(Prior Code, § 375.020)

§ 77.22 UNIFORM TRAFFIC TICKETS TO BE ISSUED WHEN VEHICLE ILLEGALLY PARKED OR STOPPED.

Whenever any motor vehicle without driver is found parked or stopped in violation of any of the restrictions imposed by ordinance of the city or by state law, the officer finding such vehicle shall take its registration number and may take any other information displayed on the vehicle which may identify its user, and shall conspicuously affix to such vehicle a uniform traffic ticket for the driver to answer to the charge against him or her within five days during the hours and at a place specified in the uniform traffic ticket.
(Prior Code, § 375.030)

§ 77.23 WARNING OF ARREST SENT UPON FAILURE TO APPEAR.

If a violator of the restrictions on stopping, standing, or parking under the traffic laws or ordinances does not appear in response to a uniform traffic ticket affixed to such motor vehicle within a period of five days, the Traffic Violations Bureau shall send to the owner of the motor vehicle to which the uniform traffic ticket was affixed a letter informing him or her of the violation and warning him or her that in the event such letter is disregarded for a period of five days, a warrant of arrest will be issued. (Prior Code, § 375.040)

§ 77.24 POLICE MAY REMOVE VEHICLE.

(A) Members of the Police Department are authorized to remove a vehicle from a street or highway to the nearest garage or other place of safety, or to a garage designated or maintained by the Police Department, or otherwise maintained by the city under the circumstances hereinafter enumerated:

(1) When any vehicle is left unattended upon any bridge, viaduct, or causeway, or in any tube or tunnel where such vehicle constitutes an obstruction to traffic;

(2) When a vehicle upon a highway is so disabled as to constitute an obstruction to traffic and the person in charge of the vehicle is by reason of physical injury incapacitated to such an extent as to be unable to provide its custody or removal; or

(3) When any vehicle is left unattended upon a street and is so parked illegally as to constitute a definite hazard or obstruction to the normal movement of traffic.

(B) Whenever an officer removes a vehicle from a street as authorized in this section and the officer knows or is able to ascertain from the registration records in the vehicle the name and address of the owner thereof, such officer shall immediately give or cause to be given notice in writing to such owner of the fact of such removal and the reasons therefor and of the place to which such vehicle has been removed. In the event any such vehicle is stored in a public garage, a copy of such notice shall be given to the proprietor of such garage.

(C) Whenever an officer removes a vehicle from a street under this section and does not know and is not able to ascertain the name of the owner, or for any other reason is unable to give the notice to the owner as hereinbefore provided, and in the event the vehicle is not returned to the owner within a period of three days, then and in that event the officer shall immediately send or cause to be sent a written report of such removal by mail to the state department whose duty it is to register motor vehicles, and shall file a copy of such notice with the proprietor of any public garage in which the vehicle may be stored. Such notice shall include a complete description of the vehicle, the date, time, and place from which removed, the reasons for such removal, and the name of the garage or place where the vehicle is stored.

(Prior Code, § 375.050)