DEPARTMENT MEMORANDUM NO. 99-13 **July 23, 1999**

SUBJECT: Driving Condition Report, DOR Form 4319

The purpose of this memorandum is to inform department members of the recently passed House Bill 1536, which deals with the reporting and examination of impaired drivers.

Certain provisions in this new law apply only to the Director of Revenue and the method they should follow when investigating whether an operator is incompetent or unqualified to retain his/her driver's license. This determination will be based on the Driving Condition Report, DOR Form 4319, completed by any certified police officer, any licensed physician, physical or occupational therapist, chiropractic physician, registered nurse, psychologist or social worker. Any blood member of the operator's family within three generations, or the operator's spouse, who has reached the age of 18, may also complete the Driving Condition Report, DOR Form 4319, except no person will report the same family member more than one time during a 12 month period.

The Driving Condition Report, DOR Form 4319, must state that the person completing the report reasonably and in good faith believes the driver cannot safely operate a motor vehicle. Any impairment must be based on personal observation or physical evidence, which will be described in the report, or the report will be based upon the investigation of a law enforcement officer. Documentation should only include the driving habits or behaviors and/or any medical condition, which attributes to their impairment. A traffic citation is not required to complete the form.

Any person, including officers, who makes a report in good faith, will be immune to civil liability. Persons should be made aware that any false report will be considered a class A misdemeanor and they will be liable for damages which proximately result.

The Driving Condition Report, DOR Form 4319, must contain the name, address, telephone number, and signature of the person completing the form, Once the Driving Condition Report, DOR Form 4319, is completed, the person completing the form will mail it to:

The Missouri Department of Revenue
Drivers License Bureau
P.O. Box 200
Jefferson City, Missouri, 65105-0200

The Director of Revenue will review the report and determine if the report substantiates a written test and test of their driving skills, vision, highway sign recognition, and if appropriate, a physical examination. A certified letter will be sent to the driver and the driver will have 30 days to respond to the Department of Revenue's request. If the driver does not respond to the Department of Revenue's request within 30 days, a suspension, revocation, denial, or restriction of their driver's license may result.

The Department of Revenue is currently revising the Driving Condition Report, DOR Form 4319. The new form will be disseminated once it is approved.

Richard D. Easley

Richard D. Easley
Chief of Police

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