

1 State of Arkansas
2 94th General Assembly
3 Regular Session, 2023
4

As Engrossed: H2/15/23

A Bill

HOUSE BILL 1244

5 By: Representatives Achor, Pilkington, Hawk
6 By: Senator J. Boyd
7

For An Act To Be Entitled

9 AN ACT TO AMEND THE LAW CONCERNING THE ISSUANCE OF
10 AND APPLICATION FOR A DIGITIZED DRIVER'S LICENSE; AND
11 FOR OTHER PURPOSES.
12
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Subtitle

15 TO AMEND THE LAW CONCERNING THE ISSUANCE
16 OF AND APPLICATION FOR A DIGITIZED
17 DRIVER'S LICENSE.
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20 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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22 SECTION 1. Arkansas Code § 27-16-801(a)(6), concerning the issuance of
23 a driver's license, is repealed.

24 ~~(6)(A) The Office of Driver Services may offer an applicant with~~
25 ~~a valid Arkansas driver's license an additional option to view a digital copy~~
26 ~~of his or her driver's license on a mobile device or personal computer upon~~
27 ~~payment of ten dollars (\$10.00).~~

28 ~~(B) The digital copy of the driver's license shall be~~
29 ~~available for view at any time until the expiration of the driver's license~~
30 ~~issued under subdivision (a)(1) of this section.~~
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32 SECTION 2. Arkansas Code § 27-16-801(d), concerning the issuance of a
33 driver's license, is amended to read as follows:

34 ~~(d)(1) Except as provided in subdivision (d)(2) of this section, all~~
35 All license fees collected under subsection (a) of this section shall be cash
36 funds restricted in their use and shall be deposited into a bank selected by



1 the Division of Arkansas State Police to the credit of the Division of
2 Arkansas State Police Financing Fund.

3 ~~(2) The fees collected under subdivision (a)(6)(A) of this~~
4 ~~section shall be deposited into the State Treasury to the credit of the State~~
5 ~~Central Services Fund as direct revenue to be used by the Revenue Division of~~
6 ~~the Department of Finance and Administration to defray the cost of~~
7 ~~administering a digital copy of a driver's license under subdivision (a)(6)~~
8 ~~of this section.~~

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10 SECTION 3. Arkansas Code Title 27, Chapter 16, Subchapter 8, is
11 amended to add an additional section to read as follows:

12 27-16-817. Digitized driver's license.

13 (a) As used in this section:

14 (1) "Current status" means the record maintained by the Office
15 of Driver Services reflecting a driver's license holder's present status,
16 including without limitation whether the driver's license is:

17 (A) Valid;

18 (B) Expired;

19 (C) Cancelled;

20 (D) Suspended;

21 (E) Disqualified;

22 (F) A special restricted license; or

23 (G) Held by a driver required to use an ignition interlock
24 device;

25 (2) "Digitized driver's license" means a data file:

26 (A) Available on a mobile device which has connectivity to
27 the internet through an application that allows the mobile device to download
28 the data file from the Office of Driver Services or its authorized
29 representative;

30 (B) Containing all of the same data elements visible on
31 the face and back of the driver's license; and

32 (C) Displays the current status of the driver's license;

33 (3) "Private entity" means a natural person, corporation,
34 general partnership, limited liability corporation, limited partnership,
35 joint venture, business trust, public benefit corporation, nonprofit entity,
36 and other business entity; and

1 (4) "Public entity" means an agency or instrumentality of the
2 state, including without limitation a department, an institution of higher
3 education, a board, or a commission.

4 (b)(1) The Office of Driver Services shall offer an additional option
5 to view a digitized driver's license upon payment of ten dollars (\$10.00) to
6 an applicant:

7 (A) With a valid Arkansas driver's license; or

8 (B) Renewing his or her Arkansas driver's license.

9 (2) The digitized driver's license shall be available for view
10 at any time until the expiration of the applicant's Arkansas driver's license
11 issued under § 27-16-801(a)(1).

12 (3) The fee for the option to view a digitized driver's license
13 required under subdivision (b)(1) of this section is in addition to any other
14 fees charged by the Office of Driver Services for the issuance of an Arkansas
15 driver's license.

16 (c) A digital copy, photograph, or image of a driver's license which
17 is not downloaded through the application on a mobile device shall not be a
18 valid digitized driver's license as provided in this section.

19 (d)(1) The display of a digitized driver's license shall not serve as
20 consent or authorization for a law enforcement officer, or any other person,
21 to search, view, or access any other data or application on the mobile
22 device.

23 (2) If a person presents their mobile device to a law
24 enforcement officer for purposes of displaying the person's digitized
25 driver's license, the law enforcement officer shall promptly return the
26 mobile device to the person once the law enforcement officer has had an
27 opportunity to verify the identity and license status of the person.

28 (3) A law that requires a person to surrender his or her
29 Arkansas driver's license to a law enforcement officer shall not apply to the
30 mobile device used to display his or her digitized driver's license.

31 (e)(1) A digitized driver's license:

32 (A) May be accepted by a public entity for all state
33 purposes authorized for a driver's license; and

34 (B) May be accepted by a private entity for all state
35 purposes for a driver's license.

36 (f) The fees collected under subsection (b) this section shall be

1 deposited into the State Treasury to the credit of the State Central Services
2 Fund as direct revenue to be used by the Revenue Division of the Department
3 of Finance and Administration to defray the cost of administering a digitized
4 driver's license and for other related purposes as required by the Secretary
5 of the Department of Finance and Administration in carrying out the
6 functions, powers, and duties of the division.

7 (g) The Department of Finance and Administration may promulgate rules
8 for the implementation of this section.

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10 SECTION 4. EFFECTIVE DATE. This act is effective on and after
11 February 1, 2025.

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16 /s/Achor
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