

Hall of the House of Representatives
94th General Assembly - Regular Session, 2023
Amendment Form

Subtitle of House Bill No. 1429

TO AMEND THE LAW CONCERNING THE ISSUANCE OF A DRIVER'S LICENSE TO CERTAIN
APPLICANTS.

Amendment No. 2 to House Bill 1429

Amend House Bill No. 1429 as engrossed H2/22/23 (version: 2/22/2023 10:29:15 AM):

Page 1, delete line 24, and substitute the following:

"SECTION 1. Arkansas Code 27-16-604(10), is repealed.

~~(10) Who is making an initial application for an Arkansas driver's license and who is not lawfully within the United States;~~

SECTION 2. Arkansas Code 27-16-604(13), concerning people who are prohibited from being issued an Arkansas driver's license, is amended to read as follows:

(13) Except as provided under § 27-16-1111, who who is seeking an initial application or renewal of an Arkansas driver's license or photo identification and cannot show either an Arkansas driver's license or identification, two (2) primary documents, or one (1) primary and one (1) secondary document prescribed by the Department of Finance and Administration and updated as needed.

SECTION 3. Arkansas Code § 27-16-907(c), concerning the suspension or revocation of a driver's license, is amended to read as follows:

(c) The Office of Driver Services may revoke the license of a driver upon a showing by its records or other sufficient evidence that the licensee:

(1) Has been convicted of an offense in another state that if committed in this state would be grounds for revocation; or

(2)(A) ~~Is~~ Except as provided under § 27-16-1111, is a person who is not lawfully present within the United States.

(B) The Office of Driver Services shall not grant a new application for a license under § 27-16-801 to a driver revoked under subdivision (c)(2)(A) of this section unless the driver demonstrates to the Office of Driver Services that the driver is lawfully present within the United States.



(C) Notwithstanding the provisions of § 27-16-912, a driver whose license is revoked for failure to demonstrate legal presence may apply for a new license under § 27-16-801 at any time during the year following revocation if the driver is able to demonstrate lawful presence at the time of the application for a new license.

SECTION 4. Arkansas Code § 27-16-1111, is amended to read as follows:"

AND

Page 2, line 22, delete "county" and substitute "country"

AND

Page 2, delete line 23, and substitute the following:

"(B) Except for evidence of legal status under § 27-16-1105(a)(1)(D), meets all other minimum driver's license issuance"

AND

Page 2, delete lines 33 through 36, and substitute the following:

"in the United States does not indicate the applicant is a current visitor;

(ii) Having filed an Arkansas state tax return for the three (3) years prior to the applicant's date of application for the issuance of a driver's license under this section; or

(iii) Having filed at least one (1) Arkansas state tax return each year until the applicant has reached the three (3) year Arkansas state tax return requirement of subdivision (a)(1)(E)(ii) of this section."

AND

Page 3, delete lines 3 and 4, and substitute the following:

"for voter identification".

(3) The Office of Driver Services shall coordinate with the Secretary of the Office of the Department of Finance to ensure the Arkansas state tax returns provided under subdivision (a)(1)(E)(ii) and subdivision (a)(1)(E)(iii) of this section are valid and have been filed as required by § 26-51-801 et seq.

(b)(1) In addition to the cost of issuance or renewal of a driver's"

AND

Page 3, delete line 7 and 8, and substitute the following:

"additional fee in the amount of fifty dollars (\$50.00).

(2) The fees collected under subdivision (b)(1) of this section shall be deposited into the State Treasury to the credit of the State Central Services Fund as direct revenue to be used by the Revenue Division of the Department of Finance and Administration to defray the cost of administering a driver's license issued under this section.

(c) If the applicant or licensee provides an individual taxpayer"

AND

Page 3, delete line 12, and substitute the following:

"having provided proof of filing an Arkansas state tax return and an individual taxpayer"

AND

Page 3, delete line 16, and substitute the following:

"filing an Arkansas state tax return for each year between the date of issuance of the"

AND

Page 3, delete lines 19 through 23, and substitute the following:

"(e) The Office of Driver Services is not required to verify the legal presence of an applicant or licensee of a driver's license issued under this section through the Verification Information System database of the Systematic Alien Verification for Entitlements Program, as provided by section 404 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996, Pub. L. No. 104-208.

(f) An applicant for a driver's license who is not lawfully present within the United States shall not be eligible to be issued a commercial driver license or a commercial learner's permit."

AND

Page 3, delete line 24, and substitute the following:

"(g) The Department of Finance and Administration may adopt rules"

AND

Appropriately renumber the sections of the bill

The Amendment was read _____
By: Representative J. Richardson
DTP/DTP - 02-27-2023 15:42:50
DTP125

Chief Clerk