

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

1 State of Arkansas
2 83rd General Assembly
3 Regular Session, 2001
4

As Engrossed: H4/4/01 H4/10/01

A Bill

HOUSE BILL 2212

5 By: Representatives T. Steele, *Hausam, Jones*
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For An Act To Be Entitled

9 AN ACT TO AMEND ARKANSAS CODE 27-16-604 AND 27-
10 16-907 TO REMOVE CERTAIN PROVISIONS OF ACT 1099
11 OF 1997 FOR THE PURPOSE OF ENSURING THAT THOSE
12 WHO OPERATE A MOTOR VEHICLE IN ARKANSAS HAVE A
13 DRIVER'S LICENSE; AND FOR OTHER PURPOSES.
14

Subtitle

15 AN ACT TO REMOVE CERTAIN PROVISIONS OF
16 ACT 1099 OF 1997 FOR THE PURPOSE OF
17 ENSURING THAT THOSE WHO OPERATE A MOTOR
18 VEHICLE IN ARKANSAS HAVE A DRIVER'S
19 LICENSE.
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23 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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25 SECTION 1. The purpose of this act is to clarify changes made by Act
26 1099 of 1997 in order to cure certain unintended consequences of the act
27 which have had an adverse impact on individual citizens residing in the State
28 of Arkansas.
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30 SECTION 2. Arkansas Code 27-16-604(a), concerning persons not to be
31 issued a driver's license in Arkansas, is amended to read as follows:

32 (a) The Office of Driver Services shall not issue any license under
33 this act to any person:

34 (1) As a noncommercial driver who is under the age of sixteen
35 (16) years, except that the office may issue a restricted license as provided
36 to any person who is at least fourteen (14) years of age;

- 1 (2) As a commercial driver who is under the age of eighteen (18)
- 2 years;
- 3 (3) As a commercial or noncommercial driver whose:
- 4 (A) License to operate a motor vehicle has been suspended,
- 5 in whole or in part, by this state or by any other state, during the
- 6 suspension; or
- 7 (B) License has been revoked, in whole or in part, by this
- 8 state or by any other state, until the expiration of one (1) year after the
- 9 license was revoked;
- 10 (4) As a commercial or noncommercial driver who is a habitual
- 11 drunkard, a habitual user of narcotic drugs, or a habitual user of any other
- 12 drug to a degree which renders him incapable of safely driving a motor
- 13 vehicle;
- 14 (5) As a commercial or noncommercial driver who has previously
- 15 been adjudged to have any mental disability or disease and who has not at the
- 16 time of application been restored to competency by the methods provided by
- 17 law;
- 18 (6) As a commercial or noncommercial driver who is required by
- 19 this act to take an examination, unless the person shall have successfully
- 20 passed the examination;
- 21 (7) Who is required under the laws of this state to deposit
- 22 proof of financial responsibility and who has not deposited the proof;
- 23 (8) Who is receiving any type of welfare, tax, or other benefit
- 24 or exemption as a blind or nearly blind person, if the correctable vision of
- 25 the person is less than 20/50 in the better eye or if the total visual field
- 26 of the person is less than one hundred five degrees (105°);
- 27 (9) Whose operation of a motor vehicle on the highways the
- 28 Commissioner of Motor Vehicles has good cause to believe would be inimical to
- 29 public safety or welfare;
- 30 (10) *Who is making an initial application for an Arkansas*
- 31 *driver's license and who is not lawfully within the United States; ~~or~~*
- 32 (11) Who is a noncommercial driver between the ages of sixteen
- 33 (16) and eighteen (18) years who has not possessed a restricted *license for*
- 34 *at least six (6) months;*
- 35 (12) *Who is making an initial application for an Arkansas driver*
- 36 *license and cannot provide one (1) of the following documents: U. S. birth*

1 certificate; U. S. Visa; Social Security Card; photo document from INS;
2 military or military dependent photograph identification; U. S. Passport;
3 Naturalization Certificate; or any other document prescribed by the
4 Department of Finance and Administration; or

5 (13) Who is seeking an initial application or renewal of an
6 Arkansas driver license or photo identification and cannot show either an
7 Arkansas driver license or ID; two (2) primary documents or one (1) primary
8 and one (1) secondary document prescribed by the Department of Finance and
9 Administration and updated as needed.

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11 SECTION 3. Arkansas Code 27-16-604 is amended by adding an additional
12 subsection to read as follows:

13 (c) The Department of Finance and Administration shall promulgate a
14 list of documents acceptable under § 27-16-604(a)(11) or (12) and post the
15 list in each revenue office in the state.

16 /s/ T. Steele, et al.
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