

Act 93 of the Third Special Session of 1989.

Act 93

SB58

By: Senator Miles

CALL ITEM 15

For An Act To Be Entitled  
"AN ACT TO PROVIDE FOR THE SUSPENSION OF THE DRIVER'S LICENSE  
OF ANY MINOR WHO COMMITS A CRIMINAL OFFENSE INVOLVING THE  
ILLEGAL POSSESSION OR USE OF ALCOHOL OR CONTROLLED  
SUBSTANCES; AND FOR OTHER PURPOSES."

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

SECTION 1. Whenever a person who is less than eighteen (18) years of age pleads guilty, nolo contendere or is found guilty to driving while intoxicated under Chapter 65 of Title 5 of the Arkansas Code or of any criminal offense involving the illegal possession or use of alcohol or controlled substances, or is found by a juvenile court to have committed such an offense, the court shall prepare and transmit to the Department of Finance and Administration within twenty-four (24) hours after the plea or finding an order of denial of driving privileges for the minor. In cases of extreme and unusual hardship, the order may provide for the issuance of a restricted driving permit to allow driving to and from a place of employment or driving to and from school.

SECTION 2. Upon receipt of an order of denial of driving privileges under this act, the Department of Finance and Administration shall suspend the motor vehicle operator's license of the minor for twelve (12) months or until the minor reaches 18 years of age, whichever is longest.

SECTION 3. Penalties prescribed herein shall be in addition to all other penalties prescribed by law for the offenses covered by this Act.

SECTION 4. In regard to any offense involving illegal possession under this act, it shall be a defense if the alcohol or controlled substance is the property of an adult who owns the vehicle.

SECTION 5. All provisions of this act of a general and permanent nature are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code Revision Commission shall incorporate the same in the Code.

SECTION 6. Emergency. It is hereby found and determined by the General Assembly that additional enforcement mechanisms are urgently needed to deter persons under 18 years of age from illegally using or dealing in drugs; that this Act provides an additional enforcement mechanism; and that this Act should go into effect immediately in order to grant law enforcement officers and courts greater flexibility in dealing with the illegal use and sale of drugs. Therefore, an emergency is hereby declared to exist and this Act being immediately necessary for the preservation of the public peace, health and safety shall be in full force and effect from and after its passage and approval.

APPROVED: November 17, 1989

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