

ARKANSAS SENATE
84th General Assembly - Regular Session, 2003
Amendment Form

Subtitle of Senate Bill No. 406

"AN ACT TO AMEND THE LAWS REGARDING INFORMATION REQUIRED TO BE
SHOWN ON AUTOMOBILE PROOF OF INSURANCE CARDS AND TO REPLACE MOTOR
VEHICLE LICENSE REGISTRATION SUSPENSION PROVISIONS WITH CIVIL AND
CRIMINAL PENALTY PROVISIONS."

Amendment No. 2 to Senate Bill No. 406.

Amend Senate Bill No. 406 as originally introduced:

Page 1, delete lines 12 through 21, and substitute the following:

"OF INSURANCE CARDS; TO REPEAL ARKANSAS CODE § 27-22-108; TO REQUIRE THE ARKANSAS CRIME INFORMATION CENTER TO PROVIDE LAW ENFORCEMENT OFFICERS WITH ACCESS TO THE INSURANCE INFORMATION DATABASE; AND FOR"

AND

Page 1, delete lines 28 through 30, and substitute the following:

"TO REPEAL ARKANSAS CODE § 27-22-108 AND TO PROVIDE ACCESS TO THE INSURANCE INFORMATION DATABASE."

AND

Page 2, delete line 27 through line 2 on page 8, and substitute the following:

"SECTION 2. Arkansas Code § 27-22-108 is repealed.

~~27-22-108. Motor vehicle insurance comparison — Registration, revocation, and reinstatement procedures.~~

~~(a) With the information provided to the Department of Finance and Administration under § 27-22-107, the Office of Motor Vehicle shall, at least monthly, compare all current motor vehicle registrations against the Vehicle Insurance Database.~~

~~(b) If the comparison under subsection (a) of this section shows that a motor vehicle is not insured for three (3) consecutive months, the office shall provide notice of noncompliance to the owner of the motor vehicle. That owner has thirty (30) days to provide to the office proof that the vehicle is covered, either by:~~



~~(1) A certificate of self insurance under the provisions of § 27-19-107; or~~

~~(2) An insurance policy in amounts required under § 27-22-104 issued by an insurance company authorized to do business in this state.~~

~~(c)(1) If the owner fails to provide satisfactory proof, the department shall proceed to suspend the registration of the uninsured vehicle effective thirty (30) days after the notice of noncompliance was issued.~~

~~(2) An owner who has the owner's vehicle registration suspended in accordance with this subsection shall not be reissued a registration for that vehicle or have a registration renewed on the vehicle until the owner presents proof of insurance coverage or other financial security and pays the reinstatement fees provided for in subsection (e) of this section.~~

~~(3)(A) If proof that insurance coverage or other financial security was in effect at the time the notice was sent is presented within thirty (30) days of the notice being sent, the vehicle insurance database shall be updated and the registration suspension actions shall cease at no cost to the owner of the vehicle.~~

~~(B) If proof that insurance coverage or other financial security was in effect at the time the notice was sent is presented later than thirty (30) days after the notice was sent, the vehicle insurance database shall be updated and the registration will be restored effective on the date the proof was presented.~~

~~(d) Any suspension by the department under this section shall be subject to the notice and hearing procedures under § 27-19-404 and shall remain in effect, and no registration shall be renewed for or issued to any person whose vehicle registration is so suspended until:~~

~~(1) The person shall deposit or there shall be deposited on the person's behalf sufficient security as provided for under the Motor Vehicle Safety Responsibility Act, § 27-19-101 et seq.; or~~

~~(2) The person shall furnish the department one of the following:~~

~~(A) A certificate of self insurance under the provisions of § 27-19-107; or~~

~~(B) An insurance policy in amounts required under § 27-22-104 issued by an insurance company authorized to do business in this state.~~

~~(e)(1) In order to reinstate the suspended registration and be reissued a new or renewed registration for any suspended motor vehicle, the owner shall present the proof of renewed or new financial coverage required in subdivision (d)(1) or (2) of this section to the department and shall pay to the department a fifty dollar fee for reinstatement of the registration.~~

~~(2) The revenues derived from this reinstatement fee shall be deposited as special revenues to the State Central Services Fund and credited as direct revenues to be used by the department to offset the costs of administering this section.~~

~~(3) This fee shall be in addition to any registration fees, other fees, or other penalties for violations of the motor vehicle registration laws that shall be due and payable at the time of reinstatement.~~

~~(f)(1) The registration of a vehicle that is out of service shall be suspended upon receipt of a notice from the owner stating that the vehicle is out of service. Once the vehicle is returned to service, the owner shall submit proof of insurance coverage or other financial security and the registration shall be restored at no charge.~~

~~(2) The out of service notice shall be on a form designed and approved by the Director of the Department of Finance and Administration.~~

~~(g) The department shall promulgate necessary rules and regulations for the administration of this section.~~

SECTION 3. Effective July 1, 2004, Arkansas Code § 12-12-211 is amended by adding an additional subsection to read as follows:

(e) The center shall provide access to the Insurance Verification Database, which contains the information provided to the Arkansas Department of Finance and Administration under § 27-22-107, to law enforcement officers during the course of traffic stops."

AND

Page 8, delete line 4, and substitute the following:

"SECTION 4. EMERGENCY CLAUSE. It is found and determined by the"

The Amendment was read the first time, rules suspended and read the second time and _____

By: Senator Hendren
LDH/JMB - 031120030908
JMB361

Secretary