

Hall of the House of Representatives

87th General Assembly - Regular Session, 2009

Amendment Form

Subtitle of Senate Bill No. 826

"TO PLACE REASONABLE RESTRICTIONS ON YOUTHFUL DRIVERS GRANTED A
HARDSHIP LICENSE."

Amendment No. 1 to Senate Bill No. 826.

Amend Senate Bill No. 826 as originally introduced:

Delete all language after the enacting clause and substitute:

“SECTION 1. Arkansas Code § 27-16-804(b) is amended to read as follows:

(b)(1) The office may either issue a special restricted license or may set forth such restrictions upon the usual license form.

(2)(A)(i) ~~The office may, upon showing of need,~~ Upon the showing of need, the office may waive any age restriction set forth in this chapter.

(ii) However, every driver under eighteen (18) years of age is at a minimum subject to the restrictions set out in subdivision (b)(2)(B) of this section.

(B)(i) A license shall be issued only to an applicant with a valid instruction permit or learner’s license who:

(a) Is at least fourteen (14) years of age;
and

(b) Has remained free of a serious accident and conviction of a serious traffic violation for at least the previous six (6) months.

(ii) A driver shall operate the motor vehicle on the public streets and highways only when each passenger in the vehicle wears his or her seat belts.

(iii) The driver shall not use a cellular telephone device or other interactive wireless communication device while operating a motor vehicle except for an emergency purpose. As used in this subdivision (b)(2)(B)(iii), "emergency purpose" means the driver:

(a) Has reason to fear for his or her life, safety, or property;

(b) Reasonably believes that a criminal act may be perpetrated against him or her, his or her property, another person, or another person’s property; or

(c) Is reporting:
(1) A fire;



- (2) A traffic accident;
- (3) A serious road hazard;
- (4) A medical emergency;
- (5) A hazardous materials emergency;
- (6) Another driver who is recklessly,

carelessly, or unsafely driving; or

(7) Another driver who appears to be driving under the influence of drugs or alcohol.

(iv) A driver shall not operate a motor vehicle on public streets or highways with any unrelated minor passengers in the motor vehicle unless the driver is accompanied by a licensed driver who is twenty-one (21) years of age or older and who is occupying the front passenger seat of the motor vehicle. As used in this subsection, "unrelated minor passenger" means a passenger who is under twenty-one (21) years of age and who is not:

- (a) A sibling of the driver;
- (b) A step-sibling of the driver; or
- (c) A child who resides in the same household

as the driver.

(v) The driver shall not operate a motor vehicle on public streets or highways between the hours of 11:00 p.m. and 4:00 a.m. unless the driver is:

- (a) Accompanied by a licensed driver who is twenty-one (21) years of age or older;
- (b) Driving to or from a school activity, church-related activity, or job; or
- (c) Driving due to an emergency."

~~(B)~~(C) The waiver of the age restrictions for need is subject to review upon a complaint from certain officials under subsection (d) of this section."

The Amendment was read _____
By: Representative Barnett
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Chief Clerk