

# Department of Finance and Administration

## Legislative Impact Statement

**Bill: SB793**

**Amendment Number: S1**

**Bill Subtitle: TO REPEAL OBSOLETE STATUTES IN AND MAKE OTHER TECHNICAL CORRECTIONS TO TITLE 27 OF THE ARKANSAS CODE.**

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**Basic Change :** Senator D. Johnson

The bill makes technical corrections and repeals obsolete references to Title 27 of the Arkansas Code. The bill repeals several sections of the code and reestablishes them under new sections. With regard to the Office of Motor Vehicle, the bill repeals definitions related to vehicles and the Commissioner of Motor Vehicles throughout Title 27, Chapter 14 and re-establishes them under one (1) a new section, 27-14-104. The term "Commissioner of Motor Vehicle" is replaced throughout Title 27, with "Director of the Department of Finance and Administration" (DFA) and the bill specifies that the Office of Motor Vehicle shall be under the DFA. Amendment number 1 adds back certain definitions that were deleted in the original bill such as pneumatic tires and solid tires.

Amendment 1 also adds back three sections of current law related to the Office of Driver Services that were inappropriately repealed.

The three sections are:

1. Section 35 repealed the Driver License Compact. Repeal of this section would impact reciprocity between Arkansas and other states reporting of convictions, suspensions or revocations. Without this amendment taxpayers may be subjected to unsafe drivers if Arkansas is no longer authorized to record out of state convictions, suspensions, or revocations. There would be a detrimental impact to courts and law enforcement if the Arkansas convictions, suspensions or revocations on out of state drivers were no longer recorded by the other states. This amendment allows Arkansas courts and law enforcement to collect fines from out of state drivers.
2. Section 50 repealed the statute that orders DFA to delete from the motor vehicle reports provided to the insurance companies, any speeding conviction based on speeding on a public highway in excess of 55 miles per hour but less than 75 miles per hour. While these speeding convictions are now posted to the motor vehicle record and included in the history which courts and law enforcement may see, these convictions are not provided to the insurance companies. Taxpayers' insurance rates may increase if this section is repealed and these convictions are reported to the insurance companies.
3. Section 51 repealed the statute that orders DFA to not include in the motor vehicle reports of a railroad engineer, conductor, fireman, or brakeman any conviction for an offense arising out of a railroad accident occurring while the engineer, conductor, fireman or brakeman was performing duties as an engineer, conductor, fireman or brakeman of a railroad. If this exemption was repealed, a railroad employee may be detrimentally impacted.

**Revenue Impact :**

None.

**Taxpayer Impact :**

None.

**Resources Required :**

None.

**Time Required :**

None.

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**Procedural Changes :**

None.

**Other Comments :**

None.

**Legal Analysis :**

SB793 as originally introduced is a technical corrections bill. SB793 purported to repeal obsolete sections of the Arkansas Code. SB793 also repealed the definitions of "metal tires" and "solid tires" in § 27-14-104 as obsolete. After review of the bill, it was determined that Section 35 and 51 and the above-referenced definitions should not repeal the Arkansas Code sections as obsolete. Amendment No. 1 to SB793 removes the repeal of the Arkansas Code sections contained in Sections 35 and 51 of the bill as well as retains the definitions of "metal tires" and "solid tires" in the Arkansas Code.