

Department of Finance and Administration

Legislative Impact Statement

Bill: HB2090

Bill Subtitle: TO AMEND THE LAW CONCERNING DRIVER'S LICENSE REINSTATEMENT FEES.

Basic Change :

Sponsor: Rep. Hammer

HB2090 amends Arkansas law concerning driver's license reinstatement fees to provide a waiver to suspended drivers who owe multiple reinstatement fees provided the driver meets certain conditions as follows:

- Pay all other court costs, fines and fees prior to applying for the waiver;
- Graduate from a specialty court program meaning a drug court, HOPE court, or veterans court;
- Provide the sentencing court with a reinstatement letter from DFA showing all outstanding suspension or revocation orders; and
- Pay one reinstatement fee in the amount of \$100.

The waiver of reinstatement fees shall not apply to drivers holding a suspended commercial driver's license; a suspension for DWI or BWI, Underage DUI, or Refusal to Submit. The waiver may only be used one time by a suspended driver.

The bill also provides upon notice to the driver of certification of the intent to intercept the driver's state income tax refund, the outstanding fees assessed shall be setoff against the driver's state income tax refund.

The effective date is on and after September 1, 2017 and until January 15, 2019. The bill requires DFA to prepare an annual report concerning this act and submit the report to the Legislative Council and the Director of the Arkansas State Police by October of each year while the act is in effect.

Revenue Impact :

At December 31, 2016, there were 109,538 people who owe more than one reinstatement fee (excluding CDL, DWI and BWI, Underage DUI or BUI, or Refusal to Submit to test). The cumulative amount owed by this group is \$43,492,859.00. It is unknown how many of this number would meet all the conditions listed in the bill to qualify for the waiver.

Taxpayer Impact :

Taxpayers meeting the conditions in this bill could waive all but \$100 of their reinstatement fees. The waiver may be used only one time.

Resources Required :

Programming is estimated to cost \$52,500 to implement this bill.

Time Required :

No additional time is required if this bill is passed.

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Procedural Changes :

None.

Other Comments :

None.

Legal Analysis :

HB2090 allows for drivers with licenses suspended solely for multiple reinstatement fees, a one-time opportunity to pay one fee of \$100 to cover all reinstatement fees and regain their driving privileges. The waiver of fees is not eligible for the following: reinstatement fees owed for DWI/BWI, Underage DUI/BUI, Underage Refusal to Submit, or any suspension of commercial driving privileges. The balance of unpaid reinstatement fee will be setoff against the taxpayer's state income tax refund upon written notice from DFA.