

Department of Finance and Administration

Legislative Impact Statement

Bill: SB413

Bill Subtitle: CONCERNING THE REINSTATEMENT FEE FOR REMOVING A PERSON'S DRIVERS LICENSE FROM SUSPENSION.

Basic Change :

Sponsor: Sen Hutchinson

This bill provides for a waiver of driver's license reinstatement fees that were in existence on or before the effective date of this act if the court verifies to DFA that the person has paid all other court costs, fines and fees associated with the criminal offenses that led to the driver's license suspension and the applicant pays \$100. This bill does not apply to reinstatement fees due for convictions of DUI Alcohol, Underage DUI or Refusal to submit to a chemical test. The waiver also does not apply to commercial driver's licenses (CDL).

Revenue Impact :

As of January 1, 2016, 240,891 citizens owed reinstatement fees totaling \$54,766,075.00. It is unknown how many of these citizens would pay all their court fees to qualify for this waiver.

Taxpayer Impact :

Taxpayers who have been suspended, paid all the court fees and fines, but were unable to pay all the reinstatement fees could have these fees waived and their license reinstated if this bill is passed.

Resources Required :

Programming estimated at \$9,900.00 will be required. Additional training for Driver Control Hearing Officers and Revenue Office employees will be required.

Time Required :

Additional time is required to implement this bill and DFA requests an implementation date of November 13, 2017.

Procedural Changes :

None.

Other Comments :

This bill does not address waiver of reinstatement fees after the effective date of this act. This bill does not include an emergency clause.

Legal Analysis :

Under the current law, the Office of Driver Services must collect a \$100 reinstatement fee for each administrative order to suspend, revoke, or cancel a driver's license and each separate occurrence of an offense that results in a suspension order. SB413 creates an exception for driving privileges that are suspended or revoked solely as a result of outstanding driver's license reinstatement fees. In that case,

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the Office will only collect one reinstatement fee of \$100 if the court verifies that all other court costs, fines, and fees associated with the criminal offense that led to the driver's license suspension have been paid. This reduction does not apply to reinstatement fees for license suspensions resulting from Driving or Boating While Intoxicated, Refusal to Submit, Underage Driving or Boating While Under the Influence, or Underage Refusal to Submit. The reduction under SB413 also does not apply to reinstatement fees required in order to reinstate a Commercial Driver's License.

This reduction in reinstatement fees was tested for a six-month period in 2016. At the end of that period, DFA reported the results to the Legislative Council and the Director of the Arkansas State Police.