

As Engrossed: 1/15/91 1/28/91 3/22/91

1 **State of Arkansas**
2 **78th General Assembly**
3 **Regular Session, 1991**
4 **By: Representative Mahony**

A Bill

HOUSE BILL 1028

For An Act To Be Entitled

8 "AN ACT TO AMEND TITLE 27, CHAPTER 16, SUBCHAPTER 7 OF THE
9 ARKANSAS CODE OF 1987, AS AMENDED, TO REQUIRE PROOF OF
10 SCHOOL ENROLLMENT OR GRADUATION TO OBTAIN A MOTOR VEHICLE
11 OPERATOR'S LICENSE; AND FOR OTHER PURPOSES."

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13 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

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15 SECTION 1. Arkansas Code 27-16-701 is hereby amended to read as
16 follows:

17 "27-16-701. Application for license or instruction permit.

18 (a) Every application for an instruction permit or for an operator's or
19 chauffeur's license shall be made upon a form furnished by the office, and
20 every application shall be accompanied by the required fee.

21 (b) Every application shall state the full name, date of birth, sex,
22 residence address of the applicant, and briefly describe the applicant and
23 shall state whether the applicant has theretofore been licensed as an operator
24 or chauffeur, and, if so, when, and by what state or country, and whether any
25 such license has ever been suspended or revoked, or whether an application has
26 ever been refused, and if so, the date of and reason for suspension,
27 revocation, or refusal.

28 (c) Every application form for an instruction permit, operator's or
29 chauffeur's license, or for any renewal of these licenses or permits shall
30 include space for the applicant's social security number if he has been
31 assigned such a number. Every applicant shall supply his social security
32 number on the application form when he has been assigned such a number, except
33 that an applicant for an instruction permit for an operator's license shall
34 not be required to supply his or her social security number and may choose
35 whether to use his or her social security number on the application.

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1 (d) Every application for an instruction permit or for an operator's or
 2 chauffeur's license by a person less than eighteen (18) years old on October 1
 3 of any year, shall be accompanied by proof of receipt of a high school diploma
 4 or its equivalent or enrollment and regular attendance in a public, private,
 5 or parochial school, proof that such person is being provided schooling at
 6 home as described in §6-15-601 et seq., or proof that such person is enrolled
 7 in a postsecondary vocational/technical program, a community college, or a
 8 two-year or four-year institution of higher education. 'Regular attendance'
 9 shall be attendance in compliance with the established written policy of the
 10 school district or school concerning truancy. After July 1, 1993, such person
 11 shall present proof of a 'C' average *for the previous semester or grading*
 12 *period* in order to be issued a license. After July 1, 1993, a handicapped
 13 student receiving special education or related services shall present proof
 14 that the student is successfully completing his individual education plan in
 15 order to be issued a license. *After July 1, 1993, a student enrolled in a*
 16 *home school shall present proof that he is successfully completing his course*
 17 *of study as required by A.C.A. §§6-15-504 and 6-15-505 in order to be issued a*
 18 *license.*

19 (e) *The State Department of Education shall develop guidelines for use*
 20 *by school districts to provide a certified exemption from the 'C' average*
 21 *requirement of subsection (d) to a student found to be performing at his or*
 22 *her fullest level of capability although such may be below a 'C' average."*

24 SECTION 2. All provisions of this act of a general and permanent nature
 25 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code
 26 Revision Commission shall incorporate the same in the Code.

28 SECTION 3. If any provision of this act or the application thereof to
 29 any person or circumstance is held invalid, such invalidity shall not affect
 30 other provisions or applications of the act which can be given effect without
 31 the invalid provision or application, and to this end the provisions of this
 32 act are declared to be severable.

34 SECTION 4. All laws and parts of laws in conflict with this act are
 35 hereby repealed.

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/s/J. Mahony