

1 **State of Arkansas**

2 **78th General Assembly**

3 **Regular Session, 1991**

**H.J.R. 1019**

4 **By: Representative Mahony, Representative McJunkin**

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## **HOUSE JOINT RESOLUTION**

8 CERTIFYING TO THE U. S. SECRETARY OF TRANSPORTATION UNDER  
9 THE PROVISIONS OF SECTION 333 OF THE "DEPARTMENT OF  
10 TRANSPORTATION AND RELATED AGENCIES APPROPRIATIONS ACT OF  
11 1991" THAT THE ARKANSAS GENERAL ASSEMBLY IS OPPOSED TO THE  
12 ENACTMENT AND ENFORCEMENT OF A LAW RELATING TO THE  
13 REVOCATION, SUSPENSION, ISSUANCE AND REINSTATEMENT OF THE  
14 DRIVER'S LICENSES OF PERSONS CONVICTED OF VIOLATIONS OF  
15 THE CONTROLLED SUBSTANCES LAW AND URGING THE GOVERNOR TO  
16 CERTIFY THE SAME.

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18 WHEREAS, under the provisions of Section 333 of the "Department of  
19 Transportation and Related Agencies Appropriations Act of 1991", the Congress  
20 of the United States has mandated that the Secretary of Transportation is  
21 required to withhold five percent (5%) of the State's portion of the federal  
22 aid to highways funds where a State has not enacted a law revoking or  
23 suspending the driver's licenses of convicted drug offenders; and

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25 WHEREAS, the Congress of the United States has provided States with the  
26 option under the provisions of Section 333 of the "Department of  
27 Transportation and Related Agencies Appropriations Act of 1991", so to not  
28 lose federal aid to highway funds, the General Assembly may adopt a resolution  
29 expressing its opposition to enacting a law to revoke or suspend the driver's  
30 licenses of convicted drug offenders; and

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32 WHEREAS, so to not lose federal aid to highway funds, the Governor of  
33 the State must also certify to the Secretary of Transportation that his State  
34 is opposed to the enactment and enforcement of a law revoking or suspending  
35 the driver's licenses of convicted drug offenders,

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BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE SEVENTY-EIGHTH GENERAL ASSEMBLY OF THE STATE OF ARKANSAS AND BY THE SENATE, A MAJORITY OF ALL MEMBERS ELECTED TO EACH HOUSE AGREEING THERETO:

THAT the Arkansas General Assembly certifies to the U. S. Secretary of Transportation under the provisions of Section 333 of the "Department of Transportation and Related Agencies Appropriations Act of 1991" that it is opposed to the enactment and enforcement of a law relating to the revocation, suspension, issuance, and reinstatement of the driver's licenses of persons convicted of violations of the Controlled Substances law; and

BE IT FURTHER RESOLVED that the Arkansas General Assembly, so as to not lose federal aid to highway funds, urges the Governor of the State of Arkansas to also certify to the Secretary of Transportation that his State is opposed to the enactment and enforcement of a law revoking or suspending the driver's licenses of convicted drug offenders.

*/s/ J. Mahony et al*