

As Engrossed: 3/2/93

1 **State of Arkansas**
2 **79th General Assembly**
3 **Regular Session, 1993**
4 **By: Representative Stewart**

A Bill

HOUSE BILL 1568

For An Act To Be Entitled

8 "AN ACT TO *AUTHORIZE* PHYSICIANS TO REPORT PERSONS TO THE
9 OFFICE OF DRIVER SERVICES WHO BECAUSE OF CERTAIN PHYSICAL
10 CONDITIONS PRESENT A SERIOUS RISK WHILE OPERATING A MOTOR
11 VEHICLE; AND FOR OTHER PURPOSES."

Subtitle

14 "TO *AUTHORIZE* PHYSICIANS TO REPORT PERSONS WITH CERTAIN
15 PHYSICAL CONDITIONS WHICH PRESENT A SERIOUS RISK WHILE
16 OPERATING A MOTOR VEHICLE."

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

20 SECTION 1. (a) All physicians licensed to practice medicine and
21 surgery in the State of Arkansas *may* report the names of all persons whom they
22 treat or examine to the Office of Driver Services, Revenue Division,
23 Department of Finance and Administration, who, in their professional opinion,
24 because of a disease, malady, incapacitation or other debilitating condition,
25 are impaired in their ability to operate a motor vehicle in a safe manner and
26 therefore present a serious risk to themselves and others.

27 (b) These reports *authorized* to be filed under the provisions of this
28 act shall be privileged and shall not be open to public inspection except upon
29 the orders of a court of competent jurisdiction.

30 (c) The Department of Motor Vehicles, with the advice and consent of
31 the Arkansas State Medical Board shall promulgate necessary rules and
32 regulations to assure compliance with the provisions of this act.

34 SECTION 2. All provisions of this act of a general and permanent nature
35 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code

1 Revision Commission shall incorporate the same in the Code.

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

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10 hereby repealed.

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/s/Rep. Stewart

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HB 1568

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