Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

1	State of Arkansas	As Engrossed: H3/12/03		
2	84th General Assembly	A Bill		
3	Regular Session, 2003		HOUSE BILL 26	38
4				
5	By: Representative Mahony	ý		
6				
7				
8		For An Act To Be Entitled		
9	AN ACT	TO RAISE THE FEES FOR THE REINSTATEME	ENT OF	
10	DRIVER'S LICENSES SUSPENDED FOR DWI AND REFUSAL			
11	TO SUB	MIT, FOR DUPLICATE LICENSES, AND FOR		
12	SERVICES PROVIDED BY THE OFFICE OF MOTOR VEHICLE;			
13	AND FO	R OTHER PURPOSES.		
14				
15		Subtitle		
16	AN .	ACT TO RAISE THE FEES FOR THE		
17	REI	NSTATEMENT OF DRIVER'S LICENSES		
18	SUS	PENDED FOR DWI AND REFUSAL TO SUBMIT,		
19	FOR	DUPLICATE LICENSES, AND FOR SERVICES		
20	PRO	VIDED BY THE OFFICE OF MOTOR VEHICLE.		
21				
22				
23	BE IT ENACTED BY THE	GENERAL ASSEMBLY OF THE STATE OF ARKA	NSAS:	
24				
25	SECTION 1. Arka	ansas Code § 5-65-119 is amended to re	ad as follows:	
26	5-65-119. Dist	tribution of fee.		
27	The Office of I	Driver Services of the Revenue Divisio	n of the Departmen	t
28	of Finance and Admini	istration shall charge a fee of sevent	y-five dollars	
29	(\$75.00) <u>one-hundred</u>	<u>-fifty dollars (\$150.00)</u> for reinstati	ng a driving.	
30	privilege suspended o	or revoked because of an arrest for op	erating or being i	n
31	actual physical contr	rol of a motor vehicle while intoxicat	ed or while there	
32	was an alcohol concentration of eight-hundredths (0.08) or more in the			
33	person's breath or bl	person's breath or blood, § 5-65-103, or refusing to submit to a chemical		
34	test of blood, breath	h, or urine for the purpose of determi	ning the alcohol o	r
35	controlled substance contents of the person's blood or breath, § 5-65-202,			
36	which shall be distri	ibuted as follows:		



1 (1) Fourteen percent (14%) Seven percent (7%) of the revenues 2 derived from this fee shall be deposited in the State Treasury as special revenues and credited to the Public Health Fund to be used exclusively for 3 4 the Office of Alcohol Testing of the Department of Health; 5 (2) Sixty-six percent (66%) Thirty-three percent (33%) of the 6 revenues derived from this fee shall be deposited as special revenues in the 7 State Treasury into the Constitutional Officers Fund and the State Central 8 Services Fund as a direct revenue to be used by the Office of Driver Services 9 for use in supporting the administrative driver's licensing revocation and 10 sanctions programs provided for in this subchapter; and 11 (3) Twenty percent (20%) Ten percent (10%) of the revenues 12 derived from this fee shall be deposited in the State Treasury, and the Treasurer of State shall credit them as general revenues to the various funds 13 14 in the respective amounts to each and to be used for the purposes as provided 15 in the Revenue Stabilization Law, § 19-5-101 et seq.; and 16 (4) Fifty percent (50%) of the revenues derived from the fee 17 levied by this section shall be deposited in the State Treasury to the credit of the General Revenue Fund Account of the State Apportionment Fund, there to 18 be distributed with the other gross general revenue collections for that 19 month in accordance with the Revenue Stabilization Law. 20 21 22 SECTION 2. Arkansas Code § 27-16-806(c), pertaining to fees for 23 replacement driver's licenses, is amended to read as follows: 24 (c) In addition to the fee imposed in subsection (a) of this section, an additional fee of five dollars (\$5.00) shall be collected and deposited in 25 26 the State Treasury to the credit of the General Revenue Fund Account of the 27 State Apportionment Fund, there to be distributed with the other gross 28 general revenue collections for that month in accordance with the Revenue 29 Stabilization Law. 30 SECTION 3. Arkansas Code § 27-14-602(b), pertaining to motor vehicle 31 32 registration fees, is amended to read as follows: 33 (b) The following fees shall be charged under this chapter by the 34 commissioner: 35 (1) For each certificate of title \$1.00 \$2.00 (2) For each duplicate certificate of title 36 1.00 2.00

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1	(3) For noting each lien	50 <u>1.00</u>
2	(4) For transfer of registration	<u>1.00</u> <u>2.00</u>
2	(4) For duplicate or substitute registration	1.00 2.00
4	certificate	1.00 2.00
4 5		
6	(6) For duplicate or substitute license plate	1.00 <u>2.00</u>
7	SECTION 4. Arkansas Code § 27-14-606(a), pertaining to the	e disposition
8	of motor vehicle registration fees, is amended to read as follows	-
9	(a) All fees collected under § 27-14-602 and § 27-14-806 s	
10	deposited <u>as follows: in the 1995 New Revenue Division Building</u> A	
11	funds and shall be used for the repayment of bonds which may be :	issued by or
12	for the benefit of the Arkansas Revenue Department Building Comm	i ssion
13	pursuant to the 1995 New Revenue Division Building Act.	
14	(1) Fifty percent (50%) in the 1995 New Revenue Div	ision
15	Building Fund as cash funds and shall be used for the repayment of	of bonds
16	which may be issued by or for the benefit of the Arkansas Revenue	<u>e Department</u>
17	Building Commission pursuant to the 1995 New Revenue Division Bu	ilding Act;
18	and	
19	(2) Fifty percent (50%) in the State Treasury to the	<u>e credit of</u>
20	the General Revenue Fund Account of the State Apportionment Fund	, there to be
21	distributed with the other gross general revenue collections for	that month
22	in accordance with the provisions of Revenue Stabilization Law §	19-5-201 et
23	<u>seq.</u>	
24		
25	SECTION 5. Arkansas Code § 27-14-806(a), pertaining to the	e direct
26	filing of liens against motor vehicles, is amended to read as for	llows:
27	(a)(l)(A) At his <u>or her</u> option, a lienholder may:	
28	(i) Record the lien on the manufacturer	's statement
29	of origin; or	
30	(ii) Record the lien on an existing cert	ificate of
31	title; and	
32	(B) File with the Revenue Division of the Depa	artment of
33	Finance and Administration a certified copy of the instrument cre	eating and
34	evidencing the lien or encumbrance.	
35	(2) He <u>or she</u> shall remit therewith a fee of one do	llar (\$1.00)
36	two dollars (\$2.00) for each lien to be filed.	

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1	(3) The recording and filing shall constitute constructive
2	notice of the lien against the vehicle described therein to creditors of the
3	owner, subsequent purchasers, and encumbrancers, except those liens as are by
4	law dependent upon possession.
5	(4) A photocopy of the manufacturer's statement of origin or of
6	such existing certificate of title or of ownership, showing the lien recorded
7	thereon and certified as a true and correct copy by the party recording the
8	lien, shall be sufficient evidence of the recording.
9	
10	SECTION 6. EMERGENCY CLAUSE. It is found and determined by the
11	General Assembly of the State of Arkansas that revenue available for the
12	support of necessary state services has declined during the last twelve (12)
13	months as a result of the nationwide economic slow down; that without
14	additional revenue, some state services will be reduced or eliminated; that
15	some Arkansans will suffer as a result of service reductions or cuts; and
16	that this act will provide the necessary revenue to avoid state service
17	reductions or cuts. Therefore, an emergency is declared to exist and this act
18	being immediately necessary for the preservation of the public peace, health
19	and safety shall become effective on July 1, 2003.
20	/s/ Mahony
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