

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  
2 84th General Assembly  
3 Regular Session, 2003

# A Bill

SENATE BILL 386

4  
5 By: Senator Altes  
6  
7

## For An Act To Be Entitled

8  
9 AN ACT TO PROVIDE THAT DRIVER'S LICENSES AND  
10 IDENTIFICATION CARDS SHALL EXPIRE WHEN THE  
11 APPLICANT'S LEGAL PRESENCE HAS ENDED; TO REGULATE  
12 THE USE OF SOCIAL SECURITY CARDS WHEN APPLYING  
13 FOR A DRIVER'S LICENSE OR IDENTIFICATION CARD;  
14 AND FOR OTHER PURPOSES.  
15

## Subtitle

16  
17 PROVIDES THAT DRIVER'S LICENSES AND  
18 IDENTIFICATION CARDS EXPIRE WHEN THE  
19 APPLICANT'S LEGAL PRESENCE HAS ENDED AND  
20 REGULATES THE USE OF SOCIAL SECURITY  
21 CARDS WHEN APPLYING FOR A DRIVER'S  
22 LICENSE OR IDENTIFICATION CARD.  
23  
24

25 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
26

27 Section 1. Arkansas Code Title 27, Subchapter 16 is amended to add an  
28 additional section to read as follows:

29 27-16-607. Expiration of Licenses.

30 (a) A driver's license is valid for the period provided in § 27-16-801  
31 or § 27-16-901, if the person making the initial application for an Arkansas  
32 driver's license provides one (1) of the following documents:

33 (1) United States birth certificate;

34 (2) Photo document from the Immigration and Naturalization

35 Service;

36 (3) Military or military dependent photograph identification;



- 1           (4) United States passport; or
- 2           (5) Naturalization certificate.

3           (b) If the person does not provide one of the documents listed in §  
 4 27-16-607(a), then the expiration date of the license is the shortest of:

- 5           (1) The period provided for in § 27-16-801 and §27-16-901;
- 6           (2) The date shown on the applicant’s Immigration and

7 Naturalization Service document I-94; or

8           (3) The last date the person may be present in the United States  
 9 under federal immigration laws, as verified by the Immigration and  
 10 Naturalization Service.

11           (c) The Office of Driver Services may renew the license only if it is  
 12 demonstrated that the person’s continued presence in the United States is  
 13 authorized under federal law.

14  
 15           Section 2. Arkansas Code § 27-16-805(d), concerning the issuance of  
 16 identification cards, is amended to read as follows:

17           (d)(1) Any person who applies for such a card shall be required to  
 18 show proof of identity.

19           (2) Refusal of an applicant to show such proof shall result in  
 20 denial of the application.

21           (3)(A) The Arkansas identification card will be valid under  
 22 subsection (b) of this section, if the person making the initial application  
 23 for the card provides one (1) of the following documents:

- 24                           (i) United States birth certificate;
- 25                           (ii) Photo document from the Immigration and  
 26 Naturalization Service;
- 27                           (iii) Military or military dependent photograph  
 28 identification;
- 29                           (iv) United States passport; or
- 30                           (v) Naturalization certificate.

31           (B) If the person does not prove identity by using one (1)  
 32 of the documents listed in subdivision (d)(3)(A) of this section, then the  
 33 expiration date of the identification card is the shortest of:

- 34           (i) The period provided for in subsection (b) of  
 35 this section;
- 36           (ii) The date shown on the applicant’s Immigration

1 and Naturalization Service document I-94; or  
2 (iii) The last date the person may be present in the  
3 United States under federal immigration laws, as verified by the Immigration  
4 and Naturalization Service.

5 (C) The Office of Driver Services may renew the card only  
6 if it is demonstrated that the person's continued presence in the United  
7 States is authorized under federal law.

8  
9 Section 3. Arkansas Code § 27-16-604(a)(12), regarding the issuance of  
10 driver's licenses, is amended to read as follows:

11 (12) Who is making an initial application for an Arkansas  
12 driver's license and cannot provide one (1) of the following documents:

- 13 (A) United States birth certificate;
- 14 (B) United States visa;
- 15 ~~(C) Social Security card;~~
- 16 ~~(D)~~(C) Photo document from the Immigration and  
17 Naturalization Service;
- 18 ~~(E)~~(D) Military or military dependent photograph  
19 identification;
- 20 ~~(F)~~(E) United States passport;
- 21 ~~(G)~~(F) Naturalization certificate; or
- 22 ~~(H)~~(G) Any other document prescribed by the Department of  
23 Finance and Administration; or

24  
25 Section 4. Arkansas Code § 27-16-701(c), pertaining to application for  
26 driver's licenses, is amended to read as follows:

27 (c)(1) Every application form for an instruction permit, a commercial  
28 or noncommercial driver's license, or any renewal of these licenses or  
29 permits shall include space for the applicant's social security number if he  
30 or she has been assigned such a number.

31 (2) Every applicant shall supply his or her social security  
32 number on the application form when he or she has been assigned such a  
33 number, except that an applicant for an instruction permit for a  
34 noncommercial driver's license shall not be required to supply his or her  
35 social security number and may choose whether to use his or her social  
36 security number on the application.

1           (3) If an applicant has not been assigned a social security  
2 number, then the applicant shall provide verification from the Social  
3 Security Administration that no number has been assigned to him or her.

4  
5           Section 5. Arkansas Code § 27-16-801(a)(4), pertaining to the renewal  
6 and issuance of drivers licenses, is amended to read as follows:

7           (4)(A) At the time of initial issuance or at the time of renewal  
8 of a license, the distinguishing number assigned to the licensee for his or  
9 her license shall be the same as the licensee’s social security number when  
10 the licensee has been assigned a social security number or shall be a nine-  
11 digit number assigned to the specific licensee by the commissioner when the  
12 licensee has not been assigned a social security number.

13           (B) However, an applicant for the issuance or renewal of a  
14 Class D, Class M, or Class MD license may choose whether to use his or her  
15 social security number or a nine-digit number assigned by the commissioner as  
16 his or her license number.

17           (C) If an applicant has not been assigned a social  
18 security number, then the applicant shall provide verification from the  
19 Social Security Administration that no number has been assigned to him or  
20 her.