

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
4

As Engrossed: S3/3/03
A Bill

SENATE BILL 386

5 By: Senator Altes
6 *By: Representatives Medley, Rosenbaum*
7

8
9 **For An Act To Be Entitled**

10 AN ACT TO PROVIDE THAT DRIVER'S LICENSES AND
11 IDENTIFICATION CARDS SHALL EXPIRE WHEN THE
12 APPLICANT'S LEGAL PRESENCE HAS ENDED; TO REGULATE
13 THE USE OF SOCIAL SECURITY CARDS WHEN APPLYING
14 FOR A DRIVER'S LICENSE OR IDENTIFICATION CARD;
15 AND FOR OTHER PURPOSES.
16

17 **Subtitle**

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

25
26 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
27

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

30 27-16-607. Expiration of Licenses.

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

34 (1) United States birth certificate;

35 (2) I-151 or I-551 photo documents from the Immigration and
36 Naturalization Service;



1 (3) Military or military dependent photograph identification;

2 (4) United States passport; or

3 (5) Naturalization certificate.

4 (b) If the person does not provide one of the documents listed in §
5 27-16-607(a), then the expiration date of the license is the shortest of:

6 (1) The period provided for in § 27-16-801 and §27-16-901;

7 (2) The date shown on the applicant's Immigration and
8 Naturalization Service document I-94; or

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

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

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

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

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

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

25 (i) United States birth certificate;

26 (ii) I-151 or I-551 photo documents from the
27 Immigration and Naturalization Service;

28 (iii) Military or military dependent photograph
29 identification;

30 (iv) United States passport; or

31 (v) Naturalization certificate.

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

35 (i) The period provided for in subsection (b) of
36 this section;

1 (ii) The date shown on the applicant's Immigration
2 and Naturalization Service document I-94; or

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

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

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

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

14 (A) United States birth certificate;

15 (B) United States visa;

16 ~~(C) Social Security card;~~

17 ~~(D)~~(C) Photo document from the Immigration and
18 Naturalization Service;

19 ~~(E)~~(D) Military or military dependent photograph
20 identification;

21 ~~(F)~~(E) United States passport;

22 ~~(G)~~(F) Naturalization certificate; or

23 ~~(H)~~(G) Any other document prescribed by the Department of
24 Finance and Administration; or

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

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

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

1 security number on the application.

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

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

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

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

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

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23 SECTION 6. This act becomes effective on January 1, 2004.

24
25 /s/ Altes
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