

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: S3/18/03

A Bill

SENATE BILL 659

5 By: Senators Wooldridge, Glover, Miller
6 By: Representatives Roebuck, Childers
7
8

For An Act To Be Entitled

10 AN ACT TO INCREASE THE FEES FOR REINSTATEMENT OF
11 DRIVER'S LICENSES TO FUND THE DEPARTMENT OF
12 ARKANSAS STATE POLICE; AND FOR OTHER PURPOSES.
13

Subtitle

14 TO INCREASE THE FEES FOR REINSTATEMENT
15 OF DRIVER'S LICENSES TO FUND THE
16 DEPARTMENT OF ARKANSAS STATE POLICE.
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19

20 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
21

22 SECTION 1. Arkansas Code § 5-65-119 is amended to read as follows:
23 5-65-119. Distribution of fee.

24 The Office of Driver Services of the Revenue Division of the Department
25 of Finance and Administration shall charge a fee of ~~seventy-five dollars~~
26 ~~(\$75.00)~~ one hundred fifty dollars (\$150) for reinstating a driving privilege
27 suspended or revoked because of an arrest for operating or being in actual
28 physical control of a motor vehicle while intoxicated or while there was an
29 alcohol concentration of eight-hundredths (0.08) or more in the person's
30 breath or blood, § 5-65-103, or refusing to submit to a chemical test of
31 blood, breath, or urine for the purpose of determining the alcohol or
32 controlled substance contents of the person's blood or breath, § 5-65-202,
33 which shall be distributed as follows:

34 (1) ~~Fourteen percent (14%)~~ Seven percent (7%) of the revenues
35 derived from this fee shall be deposited in the State Treasury as special
36 revenues and credited to the Public Health Fund to be used exclusively for



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1 the Office of Alcohol Testing of the Department of Health;

2 (2) ~~Sixty-six percent (66%)~~ Thirty-three percent (33%) of the
3 revenues derived from this fee shall be deposited as special revenues in the
4 State Treasury into the Constitutional Officers Fund and the State Central
5 Services Fund as a direct revenue to be used by the Office of Driver Services
6 for use in supporting the administrative driver's licensing revocation and
7 sanctions programs provided for in this subchapter; ~~and~~

8 (3) ~~Twenty percent (20%)~~ Ten percent (10%) of the revenues
9 derived from this fee shall be deposited in the State Treasury, and the
10 Treasurer of State shall credit them as general revenues to the various funds
11 in the respective amounts to each and to be used for the purposes as provided
12 in the Revenue Stabilization Law, § 19-5-101 et seq.; and

13 (4) Fifty percent (50%) of the revenues derived from this fee
14 shall be deposited in the State Treasury as special revenues to the credit of
15 the Department of Arkansas State Police Fund.

16
17 SECTION 2. Arkansas Code § 27-16-806 is amended to read as follows:

18 27-16-806. Duplicates or substitutes.

19 (a) In the event that an instruction permit or driver's license issued
20 under the provisions of this act is lost or destroyed, the person to whom it
21 was issued may, upon payment of five dollars (\$5.00), obtain a duplicate or
22 substitute upon furnishing proof satisfactory to the office that the permit
23 or license has been lost or destroyed.

24 (b) Moneys collected under the provisions of this section shall be
25 deposited in the State Treasury into the Constitutional Officers Fund and the
26 State Central Services Fund, and the net amount shall be credited to the
27 Department of Finance and Administration to be used to help defray the cost
28 of the color photograph driver license program which shall be payable
29 therefrom.

30 (c) In addition to the fee imposed in subsection (a) of this section,
31 an additional fee of five dollars (\$5.00) shall be collected and deposited in
32 the State Treasury as special revenues to the credit of the Department of
33 Arkansas State Police Fund.

34
35 SECTION 3. Arkansas Code § 27-16-808 is amended to read as follows:

36 27-16-808. Reinstatement charge.

1 (a) The Office of Driver Services shall charge a fee of ~~twenty-five~~
 2 ~~dollars (\$25.00)~~ one hundred dollars (\$100) for reinstating a driver's
 3 license suspended because of a conviction for any violation or offense ~~other~~
 4 ~~than a violation of § 5-65-103 or § 5-65-303.~~

5 (b) All proceeds remitted to the Office of Driver Services pursuant to
 6 the provisions of this section shall be deposited ~~to the State Police~~
 7 ~~Retirement Fund,~~ as follows:

8 (1) Twenty-five percent (25%) to the State Police Retirement
 9 Fund; and

10 (2) Seventy-five percent (75%) in the State Treasury as special
 11 revenues to the credit of the Department of Arkansas State Police Fund.

12
 13 SECTION 4. Arkansas Code Title 27, Chapter 16, Subchapter 5, is
 14 amended to add an additional section to read as follows:

15 27-16-508. Fee for reinstatement.

16 (a) The Office of Driver Services shall collect a reinstatement fee of
 17 one hundred dollars (\$100) to reinstate any suspended, revoked, or cancelled
 18 driver's license.

19 (b) The fee in subsection (a) of this section shall not apply if the
 20 license is reinstated under §§ 27-16-808, 5-65-119, 5-65-304, or 5-65-310 or
 21 if the suspension, revocation, or cancellation is ordered under § 27-16-
 22 907(a)(5).

23 (c) The revenues derived from this fee shall be deposited in the State
 24 Treasury as special revenues to the credit of the Department of Arkansas
 25 State Police Fund.

26
 27 SECTION 5. EMERGENCY CLAUSE. It is found and determined by the
 28 General Assembly of the State of Arkansas that the state is experiencing
 29 severe revenue shortages which are affecting the operation of many state
 30 agencies; that the Department of Arkansas State Police has been hit hard by
 31 these shortages which have hampered its ability to replace worn out
 32 automobiles and other equipment, not to mention its ability to attract
 33 recruits because beginning salaries have remained below average; and that
 34 this act is immediately necessary because it provides some much needed
 35 additional monies to the Department of Arkansas State Police and should be
 36 given immediate effect. Therefore, an emergency is declared to exist and this

1 act being immediately necessary for the preservation of the public peace,
2 health, and safety shall become effective on:

3 (1) The date of its approval by the Governor;

4 (2) If the bill is neither approved nor vetoed by the Governor,
5 the expiration of the period of time during which the Governor may veto the
6 bill; or

7 (3) If the bill is vetoed by the Governor and the veto is
8 overridden, the date the last house overrides the veto.

9 /s/ Wooldridge

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