

As Engrossed: 3/8/91

1 **State of Arkansas**
2 **78th General Assembly**
3 **Regular Session, 1991**
4 **By: Representative Mahony**

A BILL ACT 716 OF 1991
HOUSE BILL 1929

For An Act To Be Entitled

8 "AN ACT TO AMEND TITLE 27, CHAPTER 16, SUBCHAPTER 7 OF THE
9 ARKANSAS CODE OF 1987 TO PROVIDE A HARDSHIP WAIVER FROM
10 THE REQUIREMENT OF SCHOOL ENROLLMENT OR GRADUATION TO
11 OBTAIN A MOTOR VEHICLE OPERATOR'S LICENSE; AND FOR OTHER
12 PURPOSES."

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

16 SECTION 1. Arkansas Code §27-16-701 is hereby amended by adding a new
17 subsection to read as follows:

18 "(f)(1) Any person less than eighteen (18) years old who is unable to
19 meet the requirements of subsection (d) above may petition the Office of
20 Driver Services that he or she be issued a restricted operator permit for
21 employment-related purposes.

22 (2) The Office of Driver Services shall advise the person of the
23 time and place for making such request and for the hearing thereon, which
24 shall be conducted within a reasonable time following the application date.

25 (3) Such notice shall be given by mailing the notice to the last
26 known address of the person seeking the restricted operator permit.

27 (4)(A) *In cases where demonstrable financial hardship would*
28 *result from the failure to issue a learner's permit or driver's license, the*
29 *Department of Finance and Administration may grant exceptions only to the*
30 *extent necessary to ameliorate the hardship.*

31 (B) *If it can be demonstrated that the conditions for granting*
32 *a hardship were fraudulent, the parent, guardian, or person in loco parentis*
33 *shall be subject to all applicable perjury statutes.*

34 (5) *The Department of Finance and Administration shall have the*
35 *power to promulgate rules and regulations to carry out the intent of this*
36 *section and shall distribute to each public, private, and parochial school a*

1 *copy of all rules and regulations adopted under this section.*

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3 SECTION 2. All provisions of this act of a general and permanent nature
4 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code
5 Revision Commission shall incorporate the same in the Code.

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

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

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16 */s/J. Mahony*

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18 APPROVED: 3-22-91

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