

1 **State of Arkansas**
2 **80th General Assembly**
3 **Regular Session, 1995**

A Bill

ACT 1105 OF 1995
HOUSE BILL 1705

4 **By: Representatives Wallis, Schexnayder, Von Gremp, Wooldridge, K. Wood, Bryant,**
5 **Hudson, Mullenix, Simmons, Wren, Kidd and Young**

For An Act To Be Entitled

9 "AN ACT TO INCLUDE MATERIAL CONCERNING ALCOHOL AND DRUGS
10 IN THE DRIVER_S INSTRUCTION MANUAL AND IN THE DRIVER_S
11 LICENSE EXAMINATION; TO PROVIDE FOR ALCOHOL AND DRUG
12 TESTING OF DRIVERS INVOLVED IN FATAL MOTOR VEHICLE
13 ACCIDENTS; AND FOR OTHER PURPOSES."

Subtitle

16 "AN ACT CONCERNING THE DRIVER_S
17 INSTRUCTION MANUAL, THE DRIVER_S
18 EXAMINATION; AND FOR ALCOHOL AND DRUG
19 TESTING OF DRIVERS INVOLVED IN FATAL
20 MOTOR VEHICLE ACCIDENTS."

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

24 SECTION 1. (a) The Driver_s Instruction Manual issued to persons who
25 are preparing to take a driver_s license examination shall include information
26 on driver and safety matters, including the effects of consumption of beverage
27 alcohol products and the use of illegal drugs, prescription drugs, and non-
28 prescription drugs on the ability of a person to operate a motor vehicle; the
29 hazards of driving while under the influence; and the penalties for driving
30 while under the influence.

31 (b) The driver_s license test shall include written questions
32 concerning the effects of consumption of beverage alcohol products and the use
33 of illegal drugs, prescription drugs, and non-prescription drugs on the
34 ability of a person to operate a motor vehicle and the legal and financial
35 consequences resulting from violations of the state_s laws prohibiting the
36 operation of a motor vehicle while under the influence of alcohol or drugs.

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2 SECTION 2. (a) When the driver of a motor vehicle is involved in an
3 accident resulting in loss of human life, or where there is reason to believe
4 death may result, and there exists probable cause to believe that the driver
5 is guilty of a violation of the state's law prohibiting driving while under
6 the influence, in addition to penalties established elsewhere under state law,
7 a test or tests of the driver's blood, breath or urine must be administered to
8 the driver, including those fatally injured, to determine the presence and
9 percentage concentration of alcohol or drugs in such person's body. The
10 police officer who responds to such collision, the physician in attendance, or
11 any other person designated by state law who was present when the death
12 occurred, shall order the test or tests as soon as practicable.

13 (b) The medical personnel who conducted the foregoing test or tests of
14 the driver's blood, breath or urine shall forward the results of such test or
15 tests to the Arkansas State Police, which shall establish and maintain the
16 results of the analyses required by subsection (a) in a database. The
17 information in the database shall reflect the number of fatal motor vehicle
18 accidents (1) in which alcohol was found to be a factor, with the percentage
19 alcohol concentration involved; (2) in which drugs were found to be a factor,
20 listing the class of drugs so found and their amounts; and (3) in which both
21 alcohol and drugs were found to be factors, with the percentage alcohol
22 concentration involved and listing the class of drugs so found and their
23 amounts.

24 (c) The results of the analyses required by this section shall be
25 reported to the Arkansas State Police and may be used by state and local
26 officials only for statistical purposes that do not reveal the identity of the
27 deceased person.

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

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33 SECTION 4. If any provision of this act or the application thereof to
34 any person or circumstance is held invalid, such invalidity shall not affect
35 other provisions or applications of the act which can be given effect without

1 the invalid provision or application, and to this end the provisions of this
2 act are declared to be severable.

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4 SECTION 5. All laws and parts of laws in conflict with this act are
5 hereby repealed.

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APPROVED: 4-10-95

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