

Stricken language would be deleted from and underlined language would be added to law as it existed prior to the 82nd General Assembly.

1 State of Arkansas
2 82nd General Assembly
3 Regular Session, 1999
4

As Engrossed: H1/26/99

A Bill

Act 111 of 1999
HOUSE BILL 1196

5 By: Representative Wilkinson
6
7

For An Act To Be Entitled

9 "AN ACT TO AMEND VARIOUS SECTIONS OF CHAPTER 9 OF
10 TITLE 27, CHAPTER 50 OF THE ARKANSAS CODE OF 1987,
11 ANNOTATED, CONCERNING THE CENTRAL DRIVER RECORDS FILE,
12 TO AUTHORIZE THE UNITED STATES ARMED FORCES RECRUITING
13 SERVICES TO HAVE LIMITED ACCESS TO THE DRIVER'S RECORD
14 INFORMATION; AND FOR OTHER PURPOSES."

Subtitle

15
16 "TO AUTHORIZE THE UNITED STATES ARMED
17 FORCES RECRUITING SERVICES TO HAVE
18 LIMITED ACCESS TO THE DRIVER'S RECORD
19 INFORMATION."
20
21
22

23 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
24

25 SECTION 1. Arkansas Code Annotated §27-50-907 is amended to read as
26 follows:

27 "27-50-907. Availability of recorded information.

28 (a) All information concerning a driver's record shall be made
29 available to the driver or his legal representative.

30 (b) (1) Information such as medical reports or other personal
31 information shall not be a part of any written report the Office of Driver
32 Services may provide, nor shall the office allow any person to copy or
33 reproduce such records.

34 (2) Information in the central driver records file concerning the
35 name, age, and current address of all drivers over the age of sixteen (16) and
36 under the age of twenty-six (26) years old shall be made available to the

RCK007

0112990431.RCK007

1 Arkansas military recruiting coordinators for any of the armed forces of the
2 United States for distribution to its branch offices. The information shall
3 be available upon request of the military recruiting coordinators and may be
4 requested and updated up to two (2) times during any calendar year.

5 (c) No digital drivers license photograph shall be disclosed to any
6 individual, or organization, except upon the written request for disclosure to
7 a named individual or to a party by the person whose photograph is on the
8 drivers license. A fee of five dollars (\$5.00) shall be charged for each
9 digital drivers license photograph provided by the Office of Driver Services."

10
11 SECTION 2. Arkansas Code §27-50-908 is amended to read as follows:
12 "27-50-908. Forms of authorization.

13 (a)(1) The authorization to obtain a driver record by anyone other than
14 the driver, as provided in this subchapter, may be in the form of a signed
15 release by the driver, power of attorney, and, in the case of a minor, the
16 parent or guardian or a legally appointed representative of the driver.

17 (2)(A) When motor vehicle insurance is applied for by a person or
18 on his behalf and the application contains a statement that a traffic
19 violation report may be obtained by the insurer, then the person shall be
20 deemed to have given his consent for the insurer to obtain a traffic violation
21 report on the applicant or any person named in the application as a driver of
22 the insured motor vehicle.

23 (B) The Office of Driver Services shall provide a method to
24 determine that all licensees have given their consent for traffic violation
25 reports to be obtained by insurers as provided.

26 (3) The limited information concerning a driver's name, age and
27 current address shall be subject to release to the military recruiting
28 coordinators unless such release is denied by the driver or his legally
29 appointed representative.

30 (b) A release signed by a driver or his legally appointed
31 representative giving authority to an individual or organization to obtain the
32 driver's driving record shall remain in force for a period of five (5) years
33 from the date signed by the driver or until the date the driver or his legally
34 appointed representative has withdrawn the release in writing on a form
35 approved by and supplied by the office, whichever date occurs first."

36

SECTION 3. Arkansas Code §27-50-909 is amended to read as follows:

"27-50-909. Fees for furnishing record.

(a)(1) The Office of Driver Services may report a driver's record, without charge, to all courts, law enforcement agencies, governmental agencies, and public transit systems as provided in this subchapter. For purposes of this section 'public transit systems' means entities which provide regular and continuing general or special transportation to the public and which receive federal assistance under 49 U.S.C. §5307 or 49 U.S.C. §5311.

(2) A fee of not less than two dollars (\$2.00) nor more than six dollars (\$6.00) may be charged for any record search made and reported to the driver on whom the record is compiled or any other individual or organization requesting the record.

(3) The Office of Driver Services shall charge a fee to report information concerning a driver's name, age, and current address of all drivers over the age of sixteen (16) and under the age of twenty-six (26) years old to the military recruiting services. The fee shall be determined by the office in an amount designed to recover the cost of producing the information for the recruiting services.

(b) Where a release has been granted by a driver or his legally appointed representative and the release has not been withdrawn as provided for in §27-50-908, then all subsequent reports made on the driver shall be subject to the fee in effect at the time the subsequent report is made."

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

SECTION 5. If any provisions of this act or the application thereof to any person or circumstance is held invalid, the invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provisions or application, and to this end the provisions of this act are declared to be severable.

SECTION 6. All laws and parts of laws in conflict with this act are hereby repealed.

/s/ Wilkinso

APPROVED: 2/17/1999n