

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 83rd General Assembly
3 Regular Session, 2001
4

A Bill

Act 1609 of 2001
SENATE BILL 82

5 By: Senator Beebe
6
7

For An Act To Be Entitled

9 AN ACT TO AMEND ARKANSAS CODE 27-16-701 TO AUTHORIZE
10 THE ISSUANCE OF A RESTRICTED DRIVING PERMIT TO A
11 STUDENT WITH LESS THAN A "C" AVERAGE WHEN NECESSARY
12 FOR TRANSPORTATION TO AND FROM WORK; AND FOR OTHER
13 PURPOSES.
14

Subtitle

15 TO AMEND ARKANSAS CODE 27-16-701 TO
16 AUTHORIZE THE ISSUANCE OF A RESTRICTED
17 DRIVING PERMIT TO A STUDENT WITH LESS
18 THAN A "C" AVERAGE WHEN NECESSARY FOR
19 TRANSPORTATION TO AND FROM WORK.
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23 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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25 SECTION 1. Arkansas Code 27-16-701(d) is amended to read as follows:

26 (d) Every application for an instruction permit or for a driver's
27 license by a person less than eighteen (18) years old on October 1 of any year
28 shall be accompanied by:

29 (1)(A) Proof of receipt of a high school diploma or its
30 equivalent or enrollment and regular attendance in an adult education program
31 or a public, private, or parochial school.

32 (i) In order to be issued a license, a student
33 enrolled in school shall present proof of a "C" average for the previous
34 semester or similar equivalent grading period for which grades are recorded as
35 part of the student's permanent record. However, when the student does not
36 have the required "C" average, a restricted license may be issued to the

1 student for the purpose of driving to and from work.

2 (ii) A student with disabilities receiving special
3 education or related services or a student enrolled in an adult education
4 program shall present proof that the student is successfully completing his
5 individual education plan in order to be issued a license.

6 (B) "Regular attendance" in a school shall be attendance in
7 compliance with the established written policy of the school district or
8 school concerning truancy.

9 (C) "Regular attendance" in an adult education program
10 shall be attendance in compliance with the policy for sixteen-year-olds and
11 seventeen-year-olds established by the State Board of Workforce Education and
12 Career Opportunities as provided for in § 6-18-222;

13 (2) Proof that the person is being provided schooling at home as
14 described in § 6-15-501 et seq. in the form of a notarized copy of the written
15 notice of intent to home school the student provided by the parent or guardian
16 to the superintendent of the local school district as required by § 6-15-503.

17 (3) Proof that the person is enrolled in a postsecondary
18 vocational -technical program, a community college, or a two-year or four-year
19 institution of higher education.

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21 SECTION 2. EMERGENCY CLAUSE. It is hereby found and determined by the
22 Eighty-third General Assembly that under present law students who are sixteen
23 or seventeen years of age may not obtain a driver's license unless they have
24 maintained at least a "C" average for the previous semester; that the law has
25 proven to be too restrictive; that this act will allow a student with less
26 than a "C" average to obtain a restricted driver's license to drive to and
27 from work; and that until this act goes into effect, some students may
28 unnecessarily suffer an undue hardship. Therefore, an emergency is declared to
29 exist and this act being immediately necessary for the preservation of the
30 public peace, health and safety shall become effective on the date of its
31 approval by the Governor. If the bill is neither approved nor vetoed by the
32 Governor, it shall become effective on the expiration of the period of time
33 during which the Governor may veto the bill. If the bill is vetoed by the
34 Governor and the veto is overridden, it shall become effective on the date the
35 last house overrides the veto.

36 APPROVED: 4/16/2001