

"AN ACT TO AMEND SECTIONS 12 AND 18 OF ACT 280 OF 1937, AS AMENDED [ARKANSAS STATUTES 75-311 AND 75-320], TO REQUIRE THE APPLICANT'S SOCIAL SECURITY NUMBER ON DRIVER'S LICENSE APPLICATION FORMS; TO REQUIRE THE LICENSEE'S DRIVER'S LICENSE NUMBER TO BE THE SAME AS HIS SOCIAL SECURITY NUMBER; AND FOR OTHER PURPOSES."

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

SECTION 1. Section 12 of Act 280 of 1937, as amended, the same being Arkansas Statutes 75-311, is hereby amended to read as follows:

"Section 12.(a) Every application for an instruction permit or for an operator's or chauffeur's license shall be made upon a form furnished by the department (and every said application shall be accompanied by the required fee).

(b) Every said application shall state the full name, date of birth, sex, residence address of the applicant, and briefly describe the applicant, and shall state whether the applicant has theretofore been licensed as an operator or chauffeur, and, if so, when, and by what State or country, and whether any such license has ever been suspended or revoked, or whether an application has ever been refused, and if so, the date of and reason for such suspension, revocation, or refusal.

(c) On and after January 1, 1989, every application form for an instruction permit or for an operator's or chauffeur's license or for any renewal of these licenses or permits shall include space for the applicant's social security number if he has been assigned such a number. Every applicant shall supply his social security number on the application form when he has been assigned such a number."

SECTION 2. Section 18 of Act 280 of 1937, as amended, the same being Arkansas Statutes 75-320, is hereby amended to read as follows:

"Section 18. (a) Effective January 1, 1978, the Department shall, upon payment of six dollars (\$6.00), for a period of two (2) years, issue, in a manner prescribed by the Commissioner, an operator's license or a motorcycle license to each applicant qualified therefor, and upon payment of ten dollars (\$10.00) shall, for a period of two (2) years, issue, in a manner prescribed by the Commissioner, a chauffeur's license to each applicant qualified therefor, and upon payment of two dollars (\$2.00), shall for a period of not more than two (2) years, issue, in a manner prescribed by the Commissioner, a motorscooter license to each applicant qualified therefor. Any driver's license, other than motorscooter, may be issued at renewal time for an additional two (2) years upon payment of an additional six dollars (\$6.00) for an operator's license or motorcycle only license and an additional ten dollars (\$10.00) for a chauffeur's license. However, no license shall be valid for more than four (4) years. Each such license shall include thereon a distinguishing number assigned to the licensee, the name, residence address, date of birth, and brief description of the licensee and a space upon which the licensee may affix his/her signature. The licensee shall affix his/her signature in ink in a space provided, and no license shall be valid until it shall have been so signed by the licensee. On and after January 1, 1989, at the time of initial issuance or at the time of renewal of a license, the distinguishing number assigned to the licensee for his license shall be the same as the licensee's social security number when the licensee has been assigned a social security number or shall be a nine-digit number assigned to

the specific licensee by the Commissioner when the licensee has not been assigned a social security number.

(b) All such licenses, as described in subsection (a), shall include thereon a color photograph of the licensee, and such photograph shall be made as a part of the license at the time of application. However, for the protection of the licensee, no duplicate or negative of said photograph shall be retained by the Department. Further provided that a license may be valid without a photograph of the licensee when the Commissioner is advised that the requirement of the photograph is either objectionable on the grounds of religious belief or such licensee is unavailable to have the photograph made.

(c) In addition to the license fee prescribed by subsection (a) hereof, the Department shall collect a penalty equal to fifty percent (50%) of the amount thereof from each operator or chauffeur, otherwise qualified, who shall operate a motor vehicle over the highways of this State without a valid license and such penalty shall be in addition to any other penalty which is now, or which hereafter may be, prescribed by law.

(d) All license fees collected under subsection (a) of this section shall be deposited in the State Treasury, as special revenues, and the net amount thereof shall be credited to the State Police Fund, thereto be used for the operation, maintenance and improvement of the Department of Arkansas State Police.

(e) The Department shall not charge an additional fee for the color photograph provided for in subsection (b) for those applicants making a renewal application for the first time on or after the effective date of this Act. Provided, however, that in addition to the regular license fee, a fee of one dollar (\$1.00) shall be charged for all subsequent renewals. Further provided that all persons applying for an Arkansas license for the first time, and all persons who are required to take the driver's examination as provided for in Act 280 of 1937, as amended, shall be charged the additional fee of one dollar (\$1.00).

(f) The Driver License Bureau of the Department of Finance and Administration shall provide on the reverse side of such operator's or chauffeur's license issued, a statement and space whereby the licensee may certify his or her willingness to make an anatomical gift under the provisions of Act 4 of 1969.

SECTION 3. In addition to all fees now prescribed by law, every person applying for the renewal of any motor vehicle operator's or chauffeur's license between July 1, 1987 and July 1, 1991 shall pay an additional fee of twenty-five cents. The first \$150,000.00 derived from such fee shall be deposited as special revenues into the Constitutional and Fiscal Agencies Fund to be used exclusively by the Department of Finance and Administration to cover the cost of converting drivers' license numbers to Social Security numbers. All revenues in excess of \$150,000.00 derived from the additional tax shall be deposited into the State Treasury and distributed in the manner now provided by law for the normal motor vehicle operator's and chauffeur's license fee.

SECTION 4. All laws or parts of laws in conflict with this Act are hereby repealed.

SECTION 5. Emergency. It is hereby found and determined by the General Assembly that drivers' license numbers should be the same as Social Security numbers to the extent possible; that in order to accomplish this conversion approximately \$150,000.00 will be required to cover the cost of the conversion; that this Act levies an additional license renewal fee in order to generate these revenues; the additional fee should become effective at the beginning of the next fiscal year and unless this emergency clause is adopted

this Act may not go into effect until after the beginning of the next fiscal year. Therefore, an emergency is hereby declared to exist and this Act being immediately necessary for the preservation of the public peace, health and safety shall be in full force and effect from and after its passage and approval.

APPROVED: 3/17/87
