

1 **State of Arkansas**  
2 **80th General Assembly**  
3 **Regular Session, 1995**  
4 **By: Senator Fitch**

# A Bill

**ACT 483 OF 1995**  
**SENATE BILL 287**

## For An Act To Be Entitled

8 "AN ACT TO CLARIFY THE AUTHORITY OF THE OFFICE OF DRIVER  
9 SERVICES TO SUSPEND OR REVOKE A LICENSEE\_S VALIDLY ISSUED  
10 LICENSE UPON CANCELLATION OF AN INVALID LICENSE; AND FOR  
11 OTHER PURPOSES."

## Subtitle

14 "AN ACT AUTHORIZING THE SUSPENSION OR  
15 REVOCATION OF A VALIDLY ISSUED LICENSE  
16 UPON CANCELLATION OF AN INVALID  
17 LICENSE."

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

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21 SECTION 1. Arkansas Code §27-16-903(a) is amended to read as follows:

22 "(a) The office is authorized to cancel any driver\_s license upon  
23 determining that the licensee was not entitled to the issuance of it under  
24 this chapter or that the licensee failed to give the required or correct  
25 information in his application or committed any fraud in making the  
26 application. Upon cancellation of any such license, the office may suspend or  
27 revoke any validly issued license of any licensee found in possession of an  
28 invalid license or who has caused or assisted in the issuance of an invalid  
29 license. The decision to suspend or revoke the original license of the  
30 licensee shall be made in accordance with the provisions of §27-16-907 and  
31 §27-16-912."

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

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

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8 hereby repealed.

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10 SECTION 5. EMERGENCY. It is hereby found and determined by the General  
11 Assembly that the statutory provisions of the driver\_s licensing laws, as they  
12 pertain to the authority of the Arkansas Department of Finance and  
13 Administration, Office of Driver Services, to suspend or revoke the original  
14 license of a licensee who is found in possession of an invalid license, or who  
15 has caused or assisted in obtaining issuance of an invalid license, lack  
16 clarity and have resulted in confusion and uncertainty in the trial courts of  
17 this state; that such confusion and uncertainty has impeded the proper  
18 administration of these licensing laws in a uniform and consistent manner; and  
19 that the immediate implementation of this act is necessary to eliminate such  
20 uncertainty and confusion and to reconfirm the authority of the Arkansas  
21 Department of Finance and Administration to act upon the original license of a  
22 licensee who is found in possession of an invalid license, or who causes or  
23 assists in the issuance of an invalid license. Therefore, an emergency is  
24 hereby declared to exist and this act being immediately necessary for the  
25 preservation of the public peace, health and safety, shall be in full force  
26 and effect from and after its passage and approval.

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APPROVED: 2-28-95