

**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

*As Engrossed: H4/4/01 H4/10/01*

# A Bill

**Act 1812 of 2001**  
HOUSE BILL 2212

5 By: Representatives T. Steele, *Hausam, Jones*  
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## **For An Act To Be Entitled**

9 AN ACT TO AMEND ARKANSAS CODE 27-16-604 AND 27-  
10 16-907 TO REMOVE CERTAIN PROVISIONS OF ACT 1099  
11 OF 1997 FOR THE PURPOSE OF ENSURING THAT THOSE  
12 WHO OPERATE A MOTOR VEHICLE IN ARKANSAS HAVE A  
13 DRIVER' S LICENSE; AND FOR OTHER PURPOSES.  
14

## **Subtitle**

15 AN ACT TO REMOVE CERTAIN PROVISIONS OF  
16 ACT 1099 OF 1997 FOR THE PURPOSE OF  
17 ENSURING THAT THOSE WHO OPERATE A MOTOR  
18 VEHICLE IN ARKANSAS HAVE A DRIVER' S  
19 LICENSE.  
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23 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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25 SECTION 1. The purpose of this act is to clarify changes made by Act  
26 1099 of 1997 in order to cure certain unintended consequences of the act  
27 which have had an adverse impact on individual citizens residing in the State  
28 of Arkansas.  
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30 SECTION 2. Arkansas Code 27-16-604(a), concerning persons not to be  
31 issued a driver's license in Arkansas, is amended to read as follows:

32 (a) The Office of Driver Services shall not issue any license under  
33 this act to any person:

34 (1) As a noncommercial driver who is under the age of sixteen  
35 (16) years, except that the office may issue a restricted license as provided  
36 to any person who is at least fourteen (14) years of age;

1 (2) As a commercial driver who is under the age of eighteen (18)  
2 years;

3 (3) As a commercial or noncommercial driver whose:

4 (A) License to operate a motor vehicle has been suspended,  
5 in whole or in part, by this state or by any other state, during the  
6 suspension; or

7 (B) License has been revoked, in whole or in part, by this  
8 state or by any other state, until the expiration of one (1) year after the  
9 license was revoked;

10 (4) As a commercial or noncommercial driver who is a habitual  
11 drunkard, a habitual user of narcotic drugs, or a habitual user of any other  
12 drug to a degree which renders him incapable of safely driving a motor  
13 vehicle;

14 (5) As a commercial or noncommercial driver who has previously  
15 been adjudged to have any mental disability or disease and who has not at the  
16 time of application been restored to competency by the methods provided by  
17 law;

18 (6) As a commercial or noncommercial driver who is required by  
19 this act to take an examination, unless the person shall have successfully  
20 passed the examination;

21 (7) Who is required under the laws of this state to deposit  
22 proof of financial responsibility and who has not deposited the proof;

23 (8) Who is receiving any type of welfare, tax, or other benefit  
24 or exemption as a blind or nearly blind person, if the correctable vision of  
25 the person is less than 20/50 in the better eye or if the total visual field  
26 of the person is less than one hundred five degrees (105°);

27 (9) Whose operation of a motor vehicle on the highways the  
28 Commissioner of Motor Vehicles has good cause to believe would be inimical to  
29 public safety or welfare;

30 (10) *Who is making an initial application for an Arkansas*  
31 *driver's license and who is not lawfully within the United States; ~~or~~*

32 (11) Who is a noncommercial driver between the ages of sixteen  
33 (16) and eighteen (18) years who has not possessed a restricted license for  
34 at least six (6) months;

35 (12) Who is making an initial application for an Arkansas driver  
36 license and cannot provide one (1) of the following documents: U. S. birth

1 certificate; U. S. Visa; Social Security Card; photo document from INS;  
2 military or military dependent photograph identification; U. S. Passport;  
3 Naturalization Certificate; or any other document prescribed by the  
4 Department of Finance and Administration; or

5 (13) Who is seeking an initial application or renewal of an  
6 Arkansas driver license or photo identification and cannot show either an  
7 Arkansas driver license or ID; two (2) primary documents or one (1) primary  
8 and one (1) secondary document prescribed by the Department of Finance and  
9 Administration and updated as needed.

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11 SECTION 3. Arkansas Code 27-16-604 is amended by adding an additional  
12 subsection to read as follows:

13 (c) The Department of Finance and Administration shall promulgate a  
14 list of documents acceptable under § 27-16-604(a)(11) or (12) and post the  
15 list in each revenue office in the state.

16 /s/ T. Steele, et al.  
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19 APPROVED: 4/19/2001  
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