

**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.  
Act 216 of the Regular Session**

1 State of Arkansas  
2 86th General Assembly  
3 Regular Session, 2007

# A Bill

SENATE BILL 247

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5 By: Senator Madison  
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## For An Act To Be Entitled

8  
9 AN ACT TO ALLOW THE DEPARTMENT OF HEALTH AND  
10 HUMAN SERVICES TO APPOINT A SIGNEE SO THAT A  
11 CHILD IN STATE CUSTODY MAY OBTAIN AN INSTRUCTION  
12 PERMIT, A LEARNER'S LICENSE, OR AN INTERMEDIATE  
13 DRIVER'S LICENSE; AND FOR OTHER PURPOSES.  
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## Subtitle

15  
16 TO ALLOW THE DEPARTMENT OF HEALTH AND  
17 HUMAN SERVICES TO APPOINT A SIGNEE SO  
18 THAT A CHILD IN STATE CUSTODY MAY OBTAIN  
19 AN INSTRUCTION PERMIT, A LEARNER'S  
20 LICENSE, OR AN INTERMEDIATE DRIVER'S  
21 LICENSE.  
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24 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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26 SECTION 1. Arkansas Code § 27-16-702(a), regarding the application of  
27 a minor for an instruction permit, a learner's license, or an intermediate  
28 driver's license, is amended to read as follows:

29 (a)(1)(A) The original application of any person under eighteen (18)  
30 years of age for an instruction permit, a learner's license, an intermediate  
31 driver's license, or a motor-driven cycle or motorcycle license shall be  
32 signed and verified before a person authorized to administer oaths by either  
33 the father or mother of the applicant, if either is living and has custody.

34 (B) In the event that neither parent is living or has  
35 custody, then the application shall be signed by the person or guardian



1 having custody or by an employer of the minor.

2 (C) In the event that there is no guardian or employer,  
3 then the application shall be signed by any other responsible person who is  
4 willing to assume the obligations imposed under this subchapter upon a person  
5 signing the application of a minor.

6 (D) For a person under eighteen (18) years of age in the  
7 custody of the Department of Health and Human Services, the Director of the  
8 Division of Children and Family Services of the Department of Health and  
9 Human Services or his or her designee may authorize an employee of the  
10 department or any foster parent to sign the application.

11 (2) For purposes of this section, duly authorized agents of the  
12 Commissioner of Motor Vehicles shall be authorized to administer oaths  
13 without charge.

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15 SECTION 2. Arkansas Code § 27-16-702(b), regarding the application of  
16 a minor for an instruction permit, a learner's license, or an intermediate  
17 driver's license, is amended to read as follows:

18 (b)(1) ~~Any~~ Except as provided under subdivision (b)(2) of this  
19 section, any negligence or willful misconduct of a minor under eighteen (18)  
20 years of age when driving a motor vehicle upon a highway shall be imputed to  
21 the person who signed the application of the minor for a permit or license,  
22 regardless of whether the person who signed was authorized to sign under  
23 subsection (a) of this section, which person shall be ~~jointly and severally~~  
24 liable with the minor for any damages caused by the negligence or willful  
25 misconduct.

26 (2)(A) For a person under eighteen (18) years of age in the  
27 custody of the Department of Health and Human Services, any negligence or  
28 willful misconduct of the person when driving a motor vehicle upon a highway  
29 shall not be imputed to the authorized employee or authorized foster parent  
30 who signed the application of the minor for a permit or license.

31 (B) The authorized employee or authorized foster parent  
32 shall not be held liable in conjunction with the minor for any damages caused  
33 by the negligence or willful misconduct of the minor.

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35 SECTION 3. Arkansas Code § 27-16-702(c)(1), , regarding the  
36 application of a minor for an instruction permit, a learner's license, or an

1 intermediate driver's license, is amended to read as follows:

2 (c)(1) If any person who is required or authorized by subsection (a)  
3 of this section to sign the application of a minor in the manner therein  
4 provided shall cause, or knowingly cause, or permit his or her child or ward  
5 or employee under eighteen (18) years of age to drive a motor vehicle upon  
6 any highway, then any negligence or willful misconduct of the minor shall be  
7 imputed to this person, and this person shall be ~~jointly and severally~~ liable  
8 with the minor for any damages caused by such negligence or willful  
9 misconduct.

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11 APPROVED: 3/6/2007  
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