

Hall of the House of Representatives
90th General Assembly - Regular Session, 2015
Amendment Form

Subtitle of House Bill No. 1878

TO AMEND THE LAW CONCERNING DRIVER'S LICENSE REINSTATEMENT FEES; AND TO DECLARE
AN EMERGENCY.

Amendment No. 2 to House Bill No. 1878

Amend House Bill No. 1878 as engrossed, H3/17/15 (version: 03/17/2015 5:09:14 PM):

Add Senator Hickey as a cosponsor of the bill

AND

Page 1, delete lines 8 through 10, and substitute the following:

"AN ACT TO AMEND THE LAW CONCERNING DRIVER'S LICENSE REINSTATEMENT
FEES; AND FOR OTHER PURPOSES."

AND

Page 1, delete lines 14 through 16, and substitute the following:

"AN ACT TO AMEND THE LAW CONCERNING DRIVER'S LICENSE REINSTATEMENT
FEES."

AND

Delete everything after the enacting clause and substitute the following:

"SECTION 1. Arkansas Code § 27-16-508(a), concerning fees for
reinstatement of driving privileges, is amended to read as follows:

(a)(1) The Office of Driver Services shall collect a reinstatement fee
of one hundred dollars (\$100), to be multiplied by the number of
administrative orders to suspend, revoke, or cancel a driver's license, other
than orders eligible for reinstatement under § 5-65-119, § 5-65-304, § 5-65-
310, or § 27-16-808 and other than orders entered under § 27-16-909.

(2)(A) If a person's driving privileges are suspended or revoked
solely as a result of outstanding driver's license reinstatement fees imposed
under the laws of this state, the office shall collect only one (1)
reinstatement fee of one hundred dollars (\$100) to cover all administrative
orders to suspend, revoke, or cancel a driver's license for a person ordered
to pay a reinstatement fee under § 27-16-808(c)(1)(A) or subdivision (a)(1)
of this section that were in existence on or before the effective date of
this act if a district court or circuit court verifies to the office that the



person has:

(i) Paid all other court costs, fines, and fees associated with the criminal offense that led to his or her driver's license suspension; and

(ii) Successfully completed one (1) of the following:

- (a) A court-ordered diversion program;
- (b) A drug court program;
- (c) A diversion program for veterans;
- (d) A preadjudication probation; or
- (e) Any other court-ordered program designed

to rehabilitate the person.

(B) Subdivision (a)(2)(A) of this section does not apply to:

(i) A reinstatement fee ordered under:

- (a) Section 5-65-119;
- (b) Section 5-65-304; or
- (c) Section 5-65-310; or

(ii) A fee ordered to reinstate commercial driving privileges.

(3) A district court or circuit court that operates one (1) of the court programs listed under subdivision (a)(2)(A)(ii) of this section shall notify the Department of Finance and Administration when a person eligible to have his or her reinstatement fees reduced under this subsection completes the court program.

SECTION 2. Arkansas Code § 27-16-808(c), concerning fees for reinstatement of driving privileges, is amended to read as follows:

(c)(1)(A) The reinstatement fee under this section shall be calculated by multiplying one hundred dollars (\$100) by each separate occurrence of offenses under any other provision of the law resulting in:

~~(A)(i)~~ A court order directing the office to suspend the driving privileges of the person; or

~~(B)(ii)~~ The office's entering a suspension order.

~~(2)(B)~~ The fee under this section is supplemental to and in addition to any fee imposed under § 5-65-119, § 5-65-304, § 5-65-310, or § 27-16-508.

~~(3)(C)~~ As used in this section, "occurrence" means each separate calendar date when an offense or offenses take place.

(2) If a person's driving privileges are suspended or revoked solely as a result of outstanding driver's license reinstatement fees imposed under the laws of this state, the office shall collect only one (1) reinstatement fee of one hundred dollars (\$100) to cover all administrative orders to suspend, revoke, or cancel a driver's license for a person ordered to pay a reinstatement fee under § 27-16-508(a)(1) or subdivision (c)(1) of this section that were in existence on or before the effective date of this act if a district court or circuit court verifies to the office that the person has:

(A) Paid all other court costs, fines, and fees associated with the criminal offense that led to his or her driver's license suspension; and

(B) Successfully completed one (1) of the following:
(i) A court-ordered diversion program;
(ii) A drug court program;
(iii) A diversion program for veterans;
(iv) A preadjudication probation; or
(v) Any other court-ordered program designed to
rehabilitate the person.

(3) Subdivision (c)(2) of this section does not apply to:
(A) A reinstatement fee ordered under:
(i) Section 5-65-119;
(ii) Section 5-65-304; or
(iii) Section 5-65-310; or
(B) A fee ordered to reinstate commercial driving
privileges.

(4) A district court or circuit court that operates one (1) of
the court programs listed under subdivision (c)(2)(B) of this section shall
notify the Department of Finance and Administration when a person eligible to
have his or her reinstatement fees reduced under this subsection completes
the court program.

SECTION 3. DO NOT CODIFY. EFFECTIVE DATES.

This act is effective on and after January 1, 2016, and until June 30,
2016.

SECTION 4. DO NOT CODIFY. Report required.

(a) The Department of Finance and Administration shall prepare a
report concerning this act that includes the following information:

(1) The number of eligible participants;
(2) The number of participants who were reinstated under this
act; and

(3) The dollar amount paid and the dollar amount written off
during the time the act is effective.

(b) The department shall submit the report under subsection (a) of
this section to the Legislative Council and the Director of the Department of
Arkansas State Police by October 1, 2016."

The Amendment was read _____
By: Representative Hammer
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Chief Clerk