

Hall of the House of Representatives
91st General Assembly - Regular Session, 2017
Amendment Form

Subtitle of House Bill No. 2203

CONCERNING DRIVER'S LICENSES; CONCERNING THE ABILITY OF A PERSON WITH A SUSPENDED
DRIVER'S LICENSE TO DRIVE TO AND FROM WORK; AND CONCERNING A HARDSHIP LICENSE.

Amendment No. 2 to House Bill No. 2203

Amend House Bill No. 2203 as engrossed, H3/14/17 (version: 03/14/2017 5:13:55 PM):

Add Senator J. Hutchinson as a cosponsor of the bill

AND

Delete SECTION 1 in its entirety and substitute the following:

"SECTION 1. Arkansas Code § 27-16-801(h)(1), concerning the definition of an inmate of the Department of Correction or Department of Community Correction who is eligible for an identification card or a driver's license, is amended to read as follows:

(h)(1) As used in this subsection,:

(A) "Custody" means:

(i) Being an inmate of the Department of Correction and housed in a facility operated by the Department of Correction; or

(ii) Being an inmate of the Department of Community Correction and housed in a detention facility; and

(B) ~~"eligible inmate"~~ "Eligible inmate" means a person who is within ~~one hundred twenty (120)~~ one hundred eighty (180) days of release from custody by the Department of Correction or the Department of Community Correction."

AND

Page 2, delete line 12, and substitute the following:

"SECTION 2. Arkansas Code Title 27, Chapter 16, Subchapter 8, is amended to add an additional section to read as follows:

27-16-815. Probationer and parolee restricted permits.

(a)(1) If a person on probation or parole for an offense that did not involve the operation of a motor vehicle has his or her license suspended for a reason not listed under § 27-16-915(b)(2)(C), the person may be eligible for a restricted driving permit under this section that permits the holder to drive a motor vehicle directly to and directly home from:

(A) A place where he or she is employed;



(B) A place where he or she, or his or her minor child, attends school;

(C) A scheduled meeting with his or her probation or parole officer; or

(D) Any place, location, or meeting that the person's probation or parole officer has directed the person on probation or parole to travel to or attend.

(2) This section does not apply to a person with an expired driver's license.

(b)(1) A person on probation or parole is required to be in the process of paying toward any outstanding fine or fee assessed by a court, under terms and conditions set by the court, if applicable, or absent terms and conditions set by the court, the person on probation or parole is required to be paying toward any outstanding fine or fee as required by the person's probation or parole officer.

(2) Failure to satisfy the payments toward a fine or fee as required under subdivision (b)(1) of this section may result in revocation of the restricted driving permit.

(c)(1) A probation or parole officer employed by the Department of Community Correction who supervises a person on probation or parole with a suspended driver's license may issue a restricted driving permit under this section that allows the person on probation or parole to drive a motor vehicle to and from a place listed under subsection (a) of this section.

(2)(A) A restricted driving permit issued under this section shall be a standardized permit, and the person possessing a restricted driving permit under this section shall have the restricted driving permit in his or her possession at all times when the person is operating a motor vehicle until the person's driver's license is no longer suspended.

(B)(i) A restricted driving permit shall include the address of the person's residence and the address of each location to and from where the person is permitted to drive under this section.

(ii) The person's name and address on a restricted driving permit under this section shall match the person's name and address as listed on a valid state-issued identification in the person's possession.

(3) The person's probation or parole officer may revoke a restricted driving permit issued under this section at any time and for any reason.

(d) A person who knowingly creates a fraudulent restricted driving permit, the purpose of which is to be used as a restricted driving permit under this section upon conviction is guilty of a Class A misdemeanor.

(e) A motor vehicle liability insurance carrier may provide liability insurance for a person issued a restricted driving permit under this section but is not required to issue an insurance policy for a person who has been issued a restricted driving permit under this section.

(f)(1) A person on probation or parole who has been issued a restricted driving permit under this section shall continue to have his or her driver's license suspended until the person has satisfied all the requirements necessary to remove his or her driver's license from suspension.

(2) Once the person on probation or parole has his or her driver's license removed from suspension, he or she shall be free from the restrictions placed on him or her under this section.

(g) A restricted driving permit issued under this section expires on

the earlier of the following dates:

(1) Twelve (12) months from the date of issuance unless reissued by a person's probation or parole officer; or

(2) The date on which the person is released from probation or parole supervision.

(h) The department may promulgate rules to implement this section.

SECTION 3. Arkansas Code § 27-16-1105(a)(3)(A), concerning minimum"

AND

Appropriately renumber the sections of the bill

The Amendment was read _____
By: Representative Tucker
BPG/TDW - 03-21-2017 10:06:17
BPG551

Chief Clerk