

1 State of Arkansas
2 91st General Assembly
3 Regular Session, 2017
4

A Bill

HOUSE BILL 2090

5 By: Representative Hammer
6

For An Act To Be Entitled

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

11 TO AMEND THE LAW CONCERNING DRIVER'S
12 LICENSE REINSTATEMENT FEES.
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17 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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19 SECTION 1. Arkansas Code § 27-16-508 is amended to read as follows:
20 27-16-508. Fee for reinstatement.

21 (a)(1) The Office of Driver Services shall collect a reinstatement fee
22 of one hundred dollars (\$100) to be multiplied by the number of
23 administrative orders to suspend, revoke, or cancel a driver's license, other
24 than orders eligible for reinstatement under § 5-65-119, § 5-65-304, § 5-65-
25 310, or § 27-16-808 and other than orders entered under § 27-16-909.

26 (2)(A) If a person's driving privileges are suspended or revoked
27 solely as a result of outstanding driver's license reinstatement fees imposed
28 under the laws of this state, the office shall permit the person to pay only
29 one (1) reinstatement fee of one hundred dollars (\$100) to cover all
30 administrative orders to suspend, revoke, or cancel a driver's license for a
31 person ordered to pay a reinstatement fee under § 27-16-808(c)(1)(A) or
32 subdivision (a)(1) of this section if a district court or circuit court
33 verifies to the office that the person has:

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



1 (ii) Graduated from a specialty court program; and
 2 (iii) Provided the sentencing court with a
 3 reinstatement letter from the Department of Finance and Administration
 4 showing all outstanding suspension or revocation orders.

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

7 (i) A reinstatement fee ordered under § 5-65-119, §
 8 5-65-304, § 5-65-310, or § 27-16-808; or

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

11 (3) A person may not avail himself or herself of the provisions
 12 of this section on more than one (1) occasion.

13 (4) Upon notice to the taxpayer of certification of the intent
 14 to intercept the taxpayer's state income tax refund under § 26-36-301 et
 15 seq., the outstanding fees assessed under this section shall be setoff
 16 against a taxpayer's state income tax refund.

17 (b) The revenues derived from this fee shall be deposited into the
 18 State Treasury as special revenues to the credit of the Department of
 19 Arkansas State Police Fund.

20 (c) The fee under this section is supplemental to and in addition to
 21 any fee imposed under § 5-65-119, § 5-65-304, § 5-65-310, or § 27-16-808.

22 (d) As used in this section, "specialty court program" means a drug
 23 court, HOPE court, or veterans court operated by a circuit court or district
 24 court as authorized by the Arkansas Supreme Court.

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 26 SECTION 2. Arkansas Code § 27-16-808 is amended to read as follows:

27 27-16-808. Reinstatement charge.

28 (a) The Office of Driver Services shall charge a fee to be calculated
 29 as provided under subsection (c) of this section for reinstating a driver's
 30 license suspended because of a conviction for any violation or offense.

31 (b) All proceeds remitted to the office pursuant to the provisions of
 32 this section shall be deposited as follows:

33 (1) Twenty-five percent (25%) to the State Police Retirement
 34 Fund; and

35 (2) Seventy-five percent (75%) to the State Treasury as special
 36 revenues to the credit of the Department of Arkansas State Police Fund.

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

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

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

7 ~~(2)(B)~~ The fee under this section is supplemental to and
 8 in addition to any fee imposed under § 5-65-119, § 5-65-304, § 5-65-310, or §
 9 27-16-508.

10 (2)(A) If a person's driving privileges are suspended or revoked
 11 solely as a result of outstanding driver's license reinstatement fees imposed
 12 under the laws of this state, the office shall permit the person to pay only
 13 one (1) reinstatement fee of one hundred dollars (\$100) to cover all
 14 administrative orders to suspend, revoke, or cancel a driver's license for a
 15 person ordered to pay a reinstatement fee under § 27-16-508(a)(1) or
 16 subdivision (a)(1) of this section if a district court or circuit court
 17 verifies to the office that the person has:

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

21 (ii) Graduated from a specialty court program; and

22 (iii) Provided the sentencing court with a
 23 reinstatement letter from the Department of Finance and Administration
 24 showing all outstanding suspension or revocation orders.

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

27 (i) A reinstatement fee ordered under § 5-65-119, §
 28 5-65-304, § 5-65-310, § 27-16-808; or

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

31 (3) A person may not avail himself or herself of the provisions
 32 of this section on more than one (1) occasion.

33 (4) Upon notice to the taxpayer of certification of the intent
 34 to intercept the taxpayer's state income tax refund under § 26-36-301 et
 35 seq., the outstanding fees assessed under this section shall be setoff
 36 against a taxpayer's state income tax refund.

~~(3)(d)~~ As used in this section:

(1) ~~"occurrence"~~ "Occurrence" means each separate calendar date when an offense or offenses take place; and

(2) "Specialty court program" means a drug court, HOPE court, or veterans court operated by a circuit court or district court as authorized by the Arkansas Supreme Court.

SECTION 3. DO NOT CODIFY. EFFECTIVE DATES.

This act is effective on and after September 1, 2017, and until January 15, 2019.

SECTION 4. DO NOT CODIFY. Report required.

(a) The Department of Finance and Administration shall prepare an annual 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 this act is effective.

(b) The Department of Finance and Administration 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 of each year while the act is in effect.