

1 State of Arkansas  
2 93rd General Assembly  
3 Regular Session, 2021  
4

# A Bill

SENATE BILL 190

5 By: Senators A. Clark, Hester  
6 By: Representative Pilkington  
7

## For An Act To Be Entitled

9 AN ACT CONCERNING CRIMINAL OFFENSES AND VIOLATIONS OF  
10 THE LAW FOR WHICH AN AVAILABLE PENALTY IS A DRIVER'S  
11 LICENSE SUSPENSION OR REVOCATION; TO REMOVE A  
12 DRIVER'S LICENSE SUSPENSION OR REVOCATION AS AN  
13 AVAILABLE PENALTY FOR OFFENSES NOT RELATED TO DRIVING  
14 A MOTOR VEHICLE; AND FOR OTHER PURPOSES.  
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## Subtitle

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18 TO REMOVE A DRIVER'S LICENSE SUSPENSION  
19 OR REVOCATION AS AN AVAILABLE PENALTY FOR  
20 OFFENSES NOT RELATED TO DRIVING A MOTOR  
21 VEHICLE.  
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23

24 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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26 SECTION 1. Arkansas Code Title 16, Chapter 10, Subchapter 1, is  
27 amended to add an additional section to read as follows:

28 16-10-142. Prohibition against suspension of driver's license.

29 (a) Unless the requirements of subsection (b) of this section are met:

30 (1) A circuit court or a district court shall not suspend a  
31 person's driver's license solely because the person has failed to pay a fine  
32 or fee as ordered by the circuit court or district court; and

33 (2) A district court shall not suspend a person's driver's  
34 license solely because the person has failed to appear as required by the  
35 district court.

36 (b) If a person has failed to pay a fine or fee assessed by a circuit



1 court or district court or has failed to appear in district court, the  
2 circuit court or district court, as applicable, may suspend the person's  
3 driver's license if the circuit court or district court:

4 (1) Orders the suspension to begin within fifteen (15) days of  
5 the date of the order if the person fails to make arrangements to pay the  
6 fine or fee or appear, whichever is applicable; and

7 (2) Transmits a copy of the order electronically, by fax, or by  
8 letter to the appropriate division of the Department of Finance and  
9 Administration.

10 (c) The department shall notify the person by first class mail sent to  
11 the person's last known address that he or she risks having his or her  
12 driver's license suspended if the person does not make arrangements with the  
13 circuit court or district court to pay the fine or fee or appear, whichever  
14 is applicable, within fifteen (15) days of the date of the order suspending  
15 the driver's license.

16 (d)(1) If the person makes sufficient arrangements with the circuit  
17 court or district court to pay the fine or fee or appear, whichever is  
18 applicable, the circuit court or district court shall issue a new order  
19 stating that the person's driver's license is no longer suspended as directed  
20 under subsection (b) of this section.

21 (2) The circuit court or district court shall transmit a copy of  
22 the order rescinding the suspension of the person's driver's license to the  
23 department electronically, by fax, or by letter.

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25 SECTION 2. Arkansas Code § 16-13-708 is amended to read as follows:

26 16-13-708. Revocation of registration or license.

27 (a) ~~The~~ If the court has complied with the requirements of § 16-10-  
28 142(b), the court may certify in writing to the Department of Finance and  
29 Administration that a debtor has failed to make satisfactory arrangements for  
30 the payment of fines and request the department to revoke, suspend, or refuse  
31 to renew the debtor's motor vehicle registration or driver's license.

32 (b) For driver's license revocation, the court ~~must~~ shall provide the  
33 department with the debtor's full name, ~~social security~~ Social Security  
34 number, and last known address.

35 (c) For motor vehicle registration revocation, the court ~~must~~ shall  
36 provide the department with the debtor's full name and the license plate

1 number or vehicle identification number of the debtor's vehicle.

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3 SECTION 3. Arkansas Code § 16-17-131 is amended to read as follows:

4 16-17-131. ~~Suspension of license for failure~~ Failure to appear =  
5 Required appearance – Suspension of driver's license.

6 (a) A person required to appear before a district court in this state,  
7 having been served with any form of notice to appear for any criminal  
8 offense, traffic violation, or misdemeanor charge, shall appear at the time  
9 and place designated in the notice.

10 (b)(1) If a person fails to appear as required in subsection (a) of  
11 this section and if the court has complied with the requirements of § 16-10-  
12 142(b), the ~~presiding judge~~ district court may suspend the person's driver's  
13 license.

14 (2) The driver's license shall be suspended until the person  
15 appears and completes the sentence ordered by the district court.

16 (3) After the person satisfies all requirements of the sentence,  
17 the Department of Finance and Administration shall assess the current fees  
18 for reinstatement of a driver's license.