

1 State of Arkansas As Engrossed: H3/17/15 H3/27/15

2 90th General Assembly

A Bill

3 Regular Session, 2015

HOUSE BILL 1878

4
5 By: Representative Hammer

6 By: Senator Hickey

For An Act To Be Entitled

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

Subtitle

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

18 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

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

22 (a)(1) The Office of Driver Services shall collect a reinstatement fee
23 of one hundred dollars (\$100), to be multiplied by the number of
24 administrative orders to suspend, revoke, or cancel a driver's license, other
25 than orders eligible for reinstatement under § 5-65-119, § 5-65-304, § 5-65-
26 310, or § 27-16-808 and other than orders entered under § 27-16-909.

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

36 (i) Paid all other court costs, fines, and fees



1 associated with the criminal offense that led to his or her driver's license
2 suspension; and

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

5 (a) A court-ordered diversion program;

6 (b) A drug court program;

7 (c) A diversion program for veterans;

8 (d) A preadjudication probation; or

9 (e) Any other court-ordered program designed
10 to rehabilitate the person.

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

13 (i) A reinstatement fee ordered under:

14 (a) Section 5-65-119;

15 (b) Section 5-65-304; or

16 (c) Section 5-65-310; or

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

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

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

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

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

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

34 ~~(2)(B)~~ The fee under this section is supplemental to and
35 in addition to any fee imposed under § 5-65-119, § 5-65-304, § 5-65-310, or §
36 27-16-508.

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

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

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

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

22 (3) Subdivision (c)(2) of this section does not apply to:

23 (A) A reinstatement fee ordered under:
24 (i) Section 5-65-119;
25 (ii) Section 5-65-304; or
26 (iii) Section 5-65-310; or
27 (B) A fee ordered to reinstate commercial driving
28 privileges.

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

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35 SECTION 3. DO NOT CODIFY. EFFECTIVE DATES.

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

1 2016.

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3 *SECTION 4. DO NOT CODIFY. Report required.*

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

6 *(1) The number of eligible participants;*

7 *(2) The number of participants who were reinstated under this*
8 *act; and*

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

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

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15 */s/Hammer*

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18 **APPROVED: 04/07/2015**