

1 State of Arkansas
2 90th General Assembly
3 Regular Session, 2015
4

As Engrossed: H3/9/15
A Bill

HOUSE BILL 1613

5 By: Representative Hickerson
6 By: Senator Hickey
7

For An Act To Be Entitled

9 AN ACT TO CREATE A DRIVER MONITORING PROGRAM TO BE
10 ADMINISTERED BY THE OFFICE OF DRIVER SERVICES; TO
11 AUTHORIZE THE OFFICE OF DRIVER SERVICES TO MONITOR
12 CERTAIN DRIVER RECORDS AND FURNISH DRIVER MONITORING
13 REPORTS; TO ESTABLISH APPROPRIATE FEES; AND FOR OTHER
14 PURPOSES.
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Subtitle

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18 TO CREATE A DRIVER MONITORING PROGRAM
19 ADMINISTERED BY THE OFFICE OF DRIVER
20 SERVICES; AND TO AUTHORIZE THE OFFICE OF
21 DRIVER SERVICES TO FURNISH DRIVER
22 MONITORING REPORTS.
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24
25 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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27 SECTION 1. Arkansas Code § 27-23-118(b) and (c), concerning
28 distribution of fees collected under the Arkansas Uniform Commercial Driver
29 License Act, are amended to read as follows:

30 (b) The fee set out in § ~~27-23-117(b)~~ 27-23-117(2) shall be deposited
31 as special revenues into the State Treasury and distributed as follows:

32 (1) Four dollars (\$4.00) of the fee shall be deposited to the
33 credit of the ~~division in the fund~~ Revenue Division of the Department of
34 Finance and Administration in the Commercial Driver License Fund; and

35 (2) The remaining six dollars (\$6.00) of the fee shall be
36 ~~distributed in the manner set forth in § 27-50-910~~ deposited to the credit of



1 the State Highway and Transportation Department Fund for distribution as
2 provided in the Arkansas Highway Revenue Distribution Law, § 27-70-201 et
3 seq.

4 (c) The fee set out in § ~~27-23-117(e)~~ § 27-23-117(3) shall be deposited
5 as special revenues into the State Treasury and distributed as follows:

6 (1) One dollar (\$1.00) of the fee shall be deposited to the
7 credit of the ~~division in the fund~~ Revenue Division of the Department of
8 Finance and Administration in the Commercial Driver License Fund; and

9 (2) The remaining six dollars (\$6.00) of the fee shall be
10 ~~distributed in the manner set forth in § 27-50-910~~ deposited to the credit of
11 the State Highway and Transportation Department Fund for distribution as
12 provided in the Arkansas Highway Revenue Distribution Law, § 27-70-201 et
13 seq.

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15 SECTION 2. Arkansas Code § 27-50-906(a)(7)(B), concerning notice and
16 information provided to a driver that the driver's record has been reported,
17 is amended to read as follows:

18 (B)(i) ~~No~~ A driver's record shall not be reported to any
19 individual except duly authorized officials of the office unless a copy of
20 the report and the name of the individual or organization that received the
21 report are sent to the driver named in the report.

22 (ii) The notice and information required by
23 subdivision (a)(7)(B)(i) need not be sent when a driver monitoring report is
24 furnished under § 27-50-912; and

25
26 SECTION 3. Arkansas Code § 27-50-906(a)(8)(B), concerning the
27 additional fee for the electronic transmission of a driver's license status
28 report, is amended to read as follows:

29 (B) The Information Network of Arkansas may charge an
30 additional fee under the Information Network of Arkansas Act, § 25-27-101 et
31 seq., for the service of transmitting this information electronically.

32
33 SECTION 4. Arkansas Code § 27-50-906(c)(2), concerning the fee charged
34 by the Information Network of Arkansas for electronically transmitting a
35 driver confirmation record, is amended to read as follows:

36 (2) The network may charge an additional fee under the

1 Information Network of Arkansas Act, § 25-27-101 et seq., for the service of
2 transmitting this information electronically.

3
4 SECTION 5. Arkansas Code § 27-50-910 is repealed.

5 ~~27-50-910. Disposition of funds.~~

6 ~~Moneys collected under the provisions of this subchapter shall be~~
7 ~~special revenues and deposited into the State Treasury to the credit of the~~
8 ~~State Highway and Transportation Department Fund for distribution as provided~~
9 ~~in the Arkansas Highway Revenue Distribution Law, § 27-70-201 et seq.~~

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11 SECTION 6. Arkansas Code Title 27, Chapter 50, Subchapter 9, is
12 amended to add an additional section to read as follows:

13 27-50-912. Driver monitoring program – Reports.

14 (a) As used in this section:

15 (1) "Driver monitoring report" means a report issued by the
16 Office of Driver Services to an insurer, under a written agreement between
17 the office and the insurer, that indicates whether a driver has had a traffic
18 violation or accident during the previous month; and

19 (2) "Insurer" means:

20 (A) An insurance company licensed to do business in this
21 state; or

22 (B) The authorized agent of an insurance company licensed
23 to do business in this state.

24 (b) The office shall establish a driver monitoring program to monitor
25 and report the driving records of individuals at the request of an insurer.

26 (c) The office may enter into a written agreement with an insurer to
27 monitor the driver record of persons holding an Arkansas driver's license and
28 provide a monthly driver monitoring report for each insured or driver
29 monitored. The office may cancel this agreement at any time.

30 (d) The driver monitoring report shall:

31 (1) Indicate whether a violation is posted to the official
32 driver record during the previous month.

33 (2) Not identify the specific violation or violations posted on
34 the driver record; and

35 (3) Be used by an insurer solely to evaluate the driving record
36 of current policy holders for re-underwriting purposes.

1 (e) The office is not required to provide the notice and information
2 required by § 27-50-906(a)(7)(B) when issuing a driver monitoring report.

3 (f)(1) The office may charge a monthly fee of not less than twelve
4 cents (12¢) and not more than nineteen cents (19¢) for each insured
5 monitored.

6 (2) The office authorizes that one cent (1¢) of the revenues
7 from subdivision (f)(1) of this section shall be special revenues and
8 deposited into the State Treasury to the credit of the State Highway and
9 Transportation Department Fund for distribution as provided in the Arkansas
10 Highway Revenue Distribution Law, § 27-70-201 et seq.

11 (3) The remaining revenues derived from subdivision (f)(1) of
12 this section shall be deposited into the State Central Services Fund as
13 direct revenue to be used by the Revenue Division of the Department of
14 Finance and Administration.

15 (4) The Information Network of Arkansas may charge insurers or
16 their agents an additional fee under the Information Network of Arkansas Act,
17 § 25-27-101 et seq., for transmitting a driver monitoring report
18 electronically.

19 (g) The insurer is required to purchase a driving record pursuant to
20 27-23-117(3) for any monitored insured or driver when the driver monitoring
21 report indicates a violation has been posted to the driver's record during
22 the previous month.

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24 SECTION 7. EFFECTIVE DATE. This act is effective on and after January
25 1, 2016.

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27 /s/Hickerson
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30 APPROVED: 03/25/2015
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