

**ARKANSAS SENATE**  
86th General Assembly - Regular Session, 2007  
**Amendment Form**

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**Subtitle of Senate Bill No. 798**

"AN ACT TO CREATE THE REVISED UNIFORM ANATOMICAL GIFT ACT TO PROVIDE  
A UNIFORM PROGRAM FOR POST-MORTEM DONATIONS OF ALL OR PART OF A  
HUMAN BODY."

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**Amendment No. 1 to Senate Bill No. 798.**

Amend Senate Bill No. 798 as originally introduced:

Amend Senate Bill No. 798 as originally introduced:

Page 1, line 9, delete "UNIFORM" and substitute "ARKANSAS"

AND

Page 1, line 10, delete "UNIFORM"

AND

Delete the subtitle in its entirety and substitute:

"AN ACT TO CREATE THE REVISED ARKANSAS  
ANATOMICAL GIFT ACT TO PROVIDE A PROGRAM  
FOR POST-MORTEM DONATIONS OF ALL OR PART  
OF A HUMAN BODY."

AND

Page 1, line 27, delete "Uniform" and substitute "Arkansas"

AND

Page 17, delete lines 33 through 36 and substitute the following:

"(d) If an anatomical gift has been or might be made of a part of a decedent whose body is under the jurisdiction of the coroner or after a post-mortem examination the coroner determines that no autopsy is required, or , if the decedent has been referred to the state medical examiner for post-mortem examination under § 12-12-318 and the state medical examiner determines that an autopsy is required, after consultation with the prosecuting attorney and the coroner, and it is determined that the recovery



of the parts that are the subject of an anatomical gift will not interfere with the autopsy, the coroner, state medical examiner, and procurement organization shall cooperate in the timely removal of the part from the decedent for the purpose of transplantation, therapy, research, or education.”

AND

Page 18, delete lines 1 through 4

AND

Page 18, delete lines 7 through 9 and substitute the following:  
“be made, and after consultation with the coroner and prosecuting attorney, the state medical examiner believes the recovery of the part could interfere with determination of the decedent’s cause and manner of death, the state medical examiner shall consult with the”

AND

Page 18, delete lines 14 through 15 and substitute the following:  
“manner of the decedent’s death. After consultation with the prosecuting attorney and coroner, the state medical examiner may allow the recovery.”

AND

Page 18, delete line 16 and substitute the following:  
“(f) The coroner, prosecuting attorney, medical examiner, and a procurement organization”

AND

Page 18, delete line 24 and substitute the following:  
“The coroner, prosecuting attorney, medical examiner, and the procurement organization shall”

AND

Page 19, delete lines 29 through 32

AND

Page 19, line 34, delete “20-17-1224.” and substitute “20-17-1223.”

AND

Page 19, line 36, delete “uniform”

AND

Page 20, line 14, delete “Uniform” and substitute “Arkansas”

AND

Page 21, line 14, delete "Uniform" and substitute "Arkansas"

AND

Page 31, line 17, delete "Uniform" and substitute "Arkansas"

AND

Page 31, delete lines 20 through 25 and substitute the following:

"SECTION 9. Arkansas Code § 27-16-801 is amended to read as follows:

27-16-801. Licenses generally - Validity periods - Contents - Fees - Disposition of moneys.

(a)(1) In a manner prescribed by the Commissioner of Motor Vehicles, the Office of Motor Vehicle shall issue:

(A) A Class D license or a Class M license to each applicant qualified therefor, for a period of four (4) years, upon payment of twelve dollars (\$12.00);

(B) A Class MD license to each applicant qualified therefor, for a period of not more than two (2) years, upon payment of two dollars (\$2.00);

(C) Every applicant for a Class D, Class M, or Class MD license under §§ 27-16-704, 27-16-807, or 27-20-108 shall pay an examination fee of five dollars (\$5.00) for the first examination and a fee of five dollars (\$5.00) for each subsequent examination, except that for each examination after the third examination there shall be no charge if the applicant produces receipts for having paid the fees for the previous examinations. The examination fee shall be remitted in a manner prescribed by the commissioner.

(2) Each license shall include:

(A) A distinguishing number assigned to the licensee;

(B)(i) Except as provided under subdivision (a)(2)(B)(ii) of this section, the name, residence address, date of birth, and a brief description of the licensee.

(ii) The following exceptions to providing a residence address and instead providing a post office box address shall be allowed at the option of the licensee:

(a) If the licensee is a law enforcement officer; or

(b) If the licensee is a victim of domestic violence or the dependent of a victim of domestic violence as provided under § 27-16-811; and

(C) A space upon which the licensee may affix his or her signature.

(3) The licensee shall affix his signature in ink in a space provided, and no license shall be valid until it shall have been so signed by the licensee.

(4) At the time of initial issuance or at the time of renewal of a license, the distinguishing number assigned to the licensee for his or her license shall be a nine-digit number assigned to the specific licensee by the commissioner.

(b)(1)(A) All licenses, as described in subsection (a) of this section, shall include a color photograph of the licensee, and such photograph shall be made a part of the license at the time of application. If the licensee is under eighteen years of age at the time the license is issued, the license shall state that the licensee was under eighteen years of age at the time of issuance. If the licensee was at least eighteen years of age but under twenty-one years of age at the time the license is issued, the license shall state that the licensee was under twenty-one years of age at the time the license was issued.

(B) [Repealed.]

(2) A license may be valid without a photograph of the licensee when the commissioner is advised that the requirement of the photograph is either objectionable on the grounds of religious belief or the licensee is unavailable to have the photograph made.

(c)(1) In addition to the license fee prescribed by subsection (a) of this section, the office shall collect a penalty equal to fifty percent (50%) of the amount thereof from each driver, otherwise qualified, who shall operate a motor vehicle over the highways of this state without a valid license.

(2) Such penalty shall be in addition to any other penalty which may be prescribed by law.

(d) All license fees collected under subsection (a) of this section shall be deposited in the State Treasury as special revenues, and the net amount thereof shall be credited to the Department of Arkansas State Police Fund, to be used for the operation, maintenance, and improvement of the Department of Arkansas State Police.

(e)(1) The office shall not charge an additional fee for the color photograph provided for in subsection (b) of this section for those applicants making a renewal application for the first time.

(2) In addition to the regular license fee, a fee of one dollar (\$1.00) shall be charged for all subsequent renewals.

(3) All persons applying for an Arkansas license for the first time and all persons who are required to take the driver's written examination as provided for in this act shall be charged the additional fee of one dollar (\$1.00).

(4) All persons who are required to have their eyesight tested prior to initial licensing or upon subsequent license renewal as provided for in this act shall be charged an additional fee of one dollar (\$1.00) upon issuance of the license.

~~(f) The office shall provide on the reverse side of the driver's license issued a statement and space whereby the licensee may certify willingness to make an anatomical gift under the provisions of § 20-17-601 et seq.~~

~~(g)(f)~~ Moneys collected from the penalty fee provided in subsection (c) of this section and the fees provided in subsection (e) of this section shall be deposited in the State Treasury into the Constitutional Officers Fund and the State Central Services Fund, and the net amount shall be credited to the Department of Finance and Administration to be used to help defray the cost of the driver license program which shall be payable therefrom.

~~(h)(g)~~ Such fees as are collected under subsection (a) of this section shall be remitted to the State Treasury, there to be deposited as special

revenues to the credit of the Department of Arkansas State Police Fund, to be used for the operation, maintenance, and improvement of the Department of Arkansas State Police.

~~(i)~~(h) In addition to the license fees imposed in subsections (a) and (e) of this section, a fee of six dollars (\$6.00) shall be charged for the issuance or renewal of any Class D, M, or MD license. The fees collected under this subsection shall be remitted to the State Treasury, there to be deposited as special revenues to the credit of the Department of Arkansas State Police Fund, to be used for the payment of health insurance premiums for uniformed employees of the Department of Arkansas State Police.”

The Amendment was read the first time, rules suspended and read the second time and \_\_\_\_\_

By: Senator Horn

MBM/CDS - 03-14-2007 14:26

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Secretary