

**ARKANSAS SENATE**  
88th General Assembly - Regular Session, 2011  
**Amendment Form**

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**Subtitle of Senate Bill No. 783**

TO REQUIRE AN ADMINISTRATIVE SUSPENSION OF A PERSON'S DRIVER'S LICENSE  
IF HE OR SHE IS ARRESTED FOR OR CONVICTED OF NEGLIGENT HOMICIDE  
RESULTING FROM DRIVING WHILE INTOXICATED.

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**Amendment No. 1 to Senate Bill No. 783**

Amend Senate Bill No. 783 as originally introduced:

Page 2, delete lines 14 and 15, and substitute:

"(2) The Office of Driver Services or its designated official shall suspend or revoke the driving privilege of an arrested person or shall suspend any nonresident driving privilege of an arrested person, as provided in § 5-65-402. The suspension or revocation shall be based on the number of previous offenses as follows:

(A) ~~Suspension for~~ For the first offense:

(i)(a) ~~Six~~ Suspension for six (6) months for ~~the first offense of~~ operating or being in actual physical control of a motor vehicle while intoxicated or while there was an alcohol concentration of at least eight hundredths (0.08) by weight of alcohol in the person's blood or breath, § 5-65-103.

(b) If the Office of Driver Services allows the issuance of an ignition interlock restricted license under § 5-65-118, the ignition interlock restricted license shall be available immediately.

(c) The restricted driving permit under § 5-65-120 is not allowed for a suspension under this subdivision (a)(2)(A)(i); ~~and~~

(ii)(a) Suspension for six (6) months for ~~the first offense of~~ operating or being in actual physical control of a motor vehicle while intoxicated by the ingestion of or by the use of a controlled substance.

(b) The ignition interlock restricted license provision of § 5-65-118 does not apply to a suspension under subdivision (a)(2)(A)(ii)(a) of this section; or

(iii) Revocation for one (1) year during which a restricted permit shall not be issued for negligent homicide under § 5-10-105(a)(1)(A) or (B)."



AND

Page 2, line 15, delete "(B)." and substitute "(B);"

AND

Page 2, delete lines 16 through 27 entirely

AND

Page 2, line 33, delete "(a)"

AND

Page 2, line 33, delete "Suspension for twenty-four (24) months" and substitute "Revocation for two (2) years during which a restricted permit shall not be issued"

AND

Page 2, line 35, delete "offense." and substitute "offense;"

AND

Page 2, delete line 36 entirely

AND

Page 3, delete lines 1 through 11 entirely

AND

Page 3, line 17, delete "(a)"

AND

Page 3, line 17, delete "Suspension for thirty (30) months" and substitute "Revocation for three (3) years during which a restricted permit shall not be issued"

AND

Page 3, line 19, delete "offense." and substitute "offense;"

AND

Page 3, delete lines 20 through 31 entirely

AND

Page 5, line 21, delete "(B)." and substitute "(B) or in another state."

AND

Page 7, delete line 20 and substitute:

"of violating § 5-65-303 instead of § 5-65-103~~+~~;and

(D) The office shall convert an initial administrative suspension or revocation of a driver's license for violating § 5-65-103 to a revocation for violating § 5-10-105(a)(1)(A) or (B), if the person is convicted of violating § 5-10-105(a)(1)(A) or (B) instead of § 5-65-103."

SECTION 15. Arkansas Code § 27-16-905 is amended to read as follows:  
27-16-905. Mandatory revocation for conviction of certain offenses.

The Office of Driver Services shall forthwith revoke the license of any driver upon receiving a record of the driver's conviction of any of the following offenses, when the conviction has become final:

(1) Manslaughter or negligent homicide resulting from the operation of a motor vehicle, except as provided under § 5-10-105(a)(1)(A) or (B);

(2) Any felony in the commission of which a motor vehicle is used;

(3) Failure to stop and render aid as required under the laws of this state in the event of a motor vehicle accident resulting in the death or personal injury of another;

(4) Perjury or the making of a false affidavit or statement under oath to the office under this act or under any other law relating to the ownership or operation of motor vehicles; or

(5) Conviction, or forfeiture of bail not vacated, upon three (3) charges of reckless driving committed within a period of twelve (12) months."

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

By: Senator J. Key  
JSE/JSE - 03/29/11 03:37  
JSE328

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Secretary