

Department of Finance and Administration

Legislative Impact Statement

Bill: HB2080

Bill Subtitle: TO PROVIDE THE OPTION TO INCLUDE AN APPLICANT'S LICENSE TO CARRY A CONCEALED HANDGUN AND HUNTER EDUCATION CERTIFICATE ON A DRIVER'S LICENSE

Basic Change :

Sponsor: Representative Bell

This bill provides the option for a person to include the person's license to carry a concealed handgun and hunter education certificate on a driver's license. A \$5.00 charge will be assessed for use of this option.

Revenue Impact :

Minimal increase in revenue.

Taxpayer Impact :

Taxpayers will have an option for \$5.00 to place the conceal carry handgun permit and/or the hunter education certificate information on their driver's license.

Resources Required :

\$625,000 in estimated computer programming cost to add Concealed Carry Permit Holder and/or Hunter Education Certificate information to the Arkansas Driver's License. This \$625,000 must be incurred to complete the computer programming needed to implement the program regardless of whether anyone subsequently chooses to include this information on their driver's license. Without additional programming resources, this bill could not be implemented prior to January 1, 2014.

Time Required :

Without additional programming resources, this bill could not be implemented prior to January 1, 2014. Even with that date, programming a system change of this large nature will require that staff be diverted from other programming assignments.

Procedural Changes :

The Revenue Office employees will need training to offer this option to applicants.

Other Comments :

1. There is limited space on the Driver's License to display Endorsements and Restrictions, and if the license holder had other previous endorsements or restrictions, it may not be possible to display the Concealed Carry or Hunter Education information.
2. The concealed carry permit is issued for five (5) years and Driver's License for four (4) years. Also, the concealed carry permit and driver's license are not necessarily issued at the same time. Therefore, there will always be periods of time when the information presented on the Driver's License for Concealed Carry is incorrect.
3. The Arkansas State Police (ASP) will confiscate the concealed carry permit card if they are cancelled for any reason. A procedure would need to be developed to remove the concealed carry permit designation from the driver's license or identification card when ASP does cancel a concealed

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carry permit. This would require that the card holder come to a Revenue Office to get a corrected card issued. DFA has no administrative authority to compel the card holder to return to obtain a corrected license. Earlier this year, The Conceal Carry Privacy Act (Act 145 of 2011) was passed to restrict this information from access.

4. HB 1458 of 2013 would permit electronic proof (cell phone) of concealed carry permit. Also HB1459 of 2013 would permit electronic proof (cell phone) of hunter education certificate.

5. The electronic proof of Concealed Carry/Hunter Education is a very cost effective way of reducing the need to carry both permits. If both of these bills are signed into law, it will provide an acceptable electronic proof that would negate the need to carry either card in addition to a Driver's License.

Legal Analysis :

House Bill 2080 adds provisions to § 27-16-801(a) regarding fees for and the contents of drivers' licenses. The bill would allow a person who holds a driver's license to add the following optional information to be included on the license for an additional payment of \$5.00: that the licensee has obtained his or her hunter education certificate and that the license has received his or her concealed handgun license. Fees collected under this provision 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.

The bill would require the Office of Motor Vehicles to devise a way to include this information on the license. In addition, it would require the Office of Motor Vehicles to obtain some sort of proof that the licensee does in fact hold a hunter education certificate under the Rules of the Arkansas State Game and Fish Commission or a concealed handgun license from the Director of the Department of Arkansas State Police. The bill does not specify whether the licensee must provide this proof or whether the Office of Motor Vehicles is to obtain or verify the information from the agencies upon request. It also does not provide the authority for the Office of Motor Vehicles to obtain or confirm this information.

Also not addressed is the question of whether the hunter education certificate or the concealed handgun license will expire prior to the expiration of the driver's license. Assuming the expiration dates do not coincide, the inclusion of this information on a driver's license could mislead third parties.