

# Department of Finance and Administration

## Legislative Impact Statement

**Bill: SB49**

**Bill Subtitle: TO REGULATE DRIVER LICENSING; TO IMPROVE DRIVER'S LICENSING PRACTICES AND PROCEDURES; AND TO DECLARE AN EMERGENCY.**

---

### **Basic Change :**

Sen. Irvin Under current law persons between the ages of 14 and 18 are restricted to driving with a licensed adult for six (6) months before they may obtain an unrestricted license to drive. The proposed bill would remove that restriction for applicants who are 16 years of age to 18 years of age. Current law also requires issuance of a valid instruction permit before issuance of a learner's license. Further, current law requires issuance of either a valid instruction permit or learner's license prior to the issuance of an intermediate driver's license. An instruction permit is issued by the Arkansas State Police (ASP) for a period of six (6) months to persons at least 14 years of age. The learner's license is the beginning driver's license issued to a person at least 14 years of age and will expire on the licensee's 16<sup>th</sup> birth date. The learner's license is issued by DFA. Applicants qualify for the learner's license after passing both the written and skills test. At the age of 16 the person would then apply for an intermediate license. The proposed bill would remove the requirement to have a valid instruction permit prior to obtaining a learner's license. The bill also removes the requirement to have a valid instruction permit or learner's license prior to applying for an intermediate license.

### **Revenue Impact :**

Some reduction in revenue to Arkansas State Police.

### **Taxpayer Impact :**

License holders between the ages of 16 and 18 would no longer be restricted to driving with a licensed adult driver for six (6) months. Applicants for learner's licenses will no longer be required to have a valid instruction permit. Also, applicants for the intermediate license will no longer be required to have a valid instruction permit or learner's license.

### **Resources Required :**

Programming changes and training employees would be required for DFA to implement this bill.

### **Time Required :**

This bill has an Emergency Clause which would not provide enough time for DFA programming and training to fully implement this bill.

### **Procedural Changes :**

DFA would no longer place the restriction on driver's licenses issued to persons 16 years of age to 18 years of age that requires them to be accompanied by a licensed adult for six (6) months. DFA would no longer require a valid instruction permit or learner's license before issuing a license.

### **Legal Analysis :**

Currently, an applicant for an Arkansas driver's license that has not previously been licensed in another jurisdiction must pass a written examination regarding traffic laws, be issued an instruction permit at least thirty (30) days prior to the date of application for the license, and pass the skills portion of the examination. An instruction permit is issued to an individual at least 14 years of age after passage of the written portion of the driving exam and entitles the individual to operate a motor vehicle only if accompanied by a licensed driver of at least 21 years of age. No license may be issued to an applicant between 16 and 18 years of age without the applicant having been issued a restricted license for at least six months prior to the application for license.

# Department of Finance and Administration

## Legislative Impact Statement

### **Bill: SB49**

### **Bill Subtitle: TO REGULATE DRIVER LICENSING; TO IMPROVE DRIVER'S LICENSING PRACTICES AND PROCEDURES; AND TO DECLARE AN EMERGENCY.**

---

After completion of the skills portion of the driving exam, an individual may either a learner's license, an intermediate license, or an unrestricted license, as outlined in state law. This bill deletes the requirement that a person between 16 and 18 years of age drive with a licensed adult for at least 6 months before that restriction is removed.

Section 1 of SB49 contains a technical error. More specifically, Section should state "27-16-604(a)(11)" is being repealed instead of "27-16-604(11)".

It appears that the intent of this bill is to remove the requirement that an applicant for an Intermediate License possess a restricted license for a six-month period. If this is accurate, Section 1 accomplishes that purpose. Sections 2 and 3 are unnecessary to that purpose. Sections 2 and 3 amend subdivisions (b)(2)(B)(i) and (g)(1)(B) of Ark. Code. § Ann. 27-16-804 by removing the requirement that an applicant for a Learner's License or Intermediate License possess a valid instruction permit but retains the examination requirement. Potentially, this portion of the bill intends to remove the general license requirement that an applicant for an Intermediate License obtain an instruction permit after passing the written portion of the driving exam and wait 30 days to perform the skills portion of the exam. If this is the intent, then Ark. Code Ann. § 27-16-704(c) must also be amended to exempt these types of licenses from that requirement. It must also be noted that a person cannot lawfully learn to drive a motor vehicle for training to pass the skills test without possession of an instruction permit. If the intention is to remove the requirement of an instruction permit, a revenue impact would occur in that the Department would experience a reduction in applicants for instruction permits and the fees that accompany those applications from applicants of Intermediate Licenses.

This bill is effective immediately upon passage and approval.