

Department of Finance and Administration

Legislative Impact Statement

Bill: HB1548

Bill Subtitle: TO AMEND THE LAW CONCERNING THE PERIOD OF TIME CERTAIN DRIVER'S LICENSE APPLICANTS ARE REQUIRED TO WAIT TO COMPLETE THE DRIVER'S EXAMINATION; AND TO DECLARE AN EMERGENCY.

Basic Change :

Sponsors: Rep. M. McElroy and Sen. D. Wallace

HB1548 eliminates the waiting periods currently required before certain persons may apply for a regular driver's license or take the commercial driver's license (CDL) skills examination. Current law requires a person to whom a driver's license has not previously been issued by any jurisdiction to first obtain an instruction permit and then wait at least 30 days before applying for a regular driver's license. HB1548 eliminates the 30-day waiting period before the person may apply for a regular license.

Current law also requires a person to whom a commercial driver's license learner's permit (CLP) has been issued to wait at least 14 days before taking the skills test required to obtain a CDL. HB1548 eliminates the waiting period for a CLP holder to take the CDL skills test.

HB1548 contains an emergency clause and will be effective on the date of its approval by the Governor; the expiration of the period of time during which the Governor may veto the bill; or the date the last house overrides the veto.

Revenue Impact :

None.

Taxpayer Impact :

A first-time applicant for a driver's license would no longer be required hold an instruction permit for 30 days prior to issuance of a regular driver's license. The holder of a commercial learner's permit (CLP) would no longer be required to wait 14 days before taking the commercial driver's license (CDL) skills test.

Resources Required :

The Arkansas Integrated Revenue System (AIRS) will require programming at an estimated cost of \$56,000 with an ongoing yearly maintenance of \$8,000.

Time Required :

Adequate time is provided for implementation.

Procedural Changes :

Office of Driver Services and State Revenue Office staff will require training.

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Other Comments :

None.

Legal Analysis :

The elimination of the 14-day waiting period to take the CDL skills test is contrary to the requirements of the federal CDL rule found in 49 C.F.R. § 383.25. That rule states that a CLP holder is not eligible to take the CDL skills test in the first 14 days after initial issuance of the CLP. Federal rules provide that a state that is found out of compliance with federal CDL requirements can suffer the withholding of up to 4% of federal aid highway funds in the first year of being out of compliance and up to 8% in the second and subsequent years.