



**State of Arkansas
Department of Finance and Administration
Fiscal Impact Statement**

Bill: HB1745

Bill Subtitle: TO REQUIRE CERTAIN COMMERCIAL DRIVER LICENSE HOLDERS TO POSSESS A UNITED STATES WORK AUTHORIZATION TO OPERATE A COMMERCIAL MOTOR VEHICLE IN THE STATE; AND TO CREATE RELATED OFFENSES.

Sponsors:

Reps. Hawk, Brooks, Joey Carr, Eaves, Evans, Hall, Holcomb, Milligan, Nazarenko, Painter, Pilkington, Schulz, and Vaught

Sens. Hammer, Boyd, Bryant, Dees, and Gilmore

Basic Change:

HB1745 amends the law concerning the operation of a commercial motor vehicle (CMV) on state roadways.

HB1745 requires an individual operating a CMV in the state to possess a valid domestic commercial driver license (CDL) or commercial learner's permit (CLP), defined as:

- A valid CDL or CLP issued by a state, territory, or possession of the United States, the District of Columbia, or Puerto Rico; or
- A CDL or CLP issued by Canada, Mexico, or any other jurisdiction under a waiver or exemption recognized by the Federal Motor Carrier Safety Administration, and a valid employment authorization document, which is defined as a federal Form I-766 United States Citizenship and Immigration Services-issued Employment Authorization Document (a "work permit").

HB1745 creates the offenses of:

- Presenting a false foreign CDL, which is a Class D felony; and
- Operating a CMV without an Employment Authorization Document, which is also a Class D felony, unless the individual establishes that they were issued the document but did not have it in their possession, in which case the charge would be reduced to a Class A misdemeanor.

Fiscal Impact:

None.

Taxpayer Impact:

An individual holding a valid commercial driver's license (CDL) issued by a foreign government will be required to have an Employment Authorization Document (EAD) in the driver's possession in order to operate a commercial motor vehicle in the state of Arkansas.

Resources Required:

None.



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Time Required:

Adequate time is provided for implementation.

Procedural Changes:

Updates will be required to the Office of Motor Vehicle (OMV) manual and the DFA website. Training and review sessions will be conducted for State Revenue Office, Office of Driver Services, and Office of Motor Vehicle employees and staff. Notification will also be provided to the taxpayer community.

Other Comments:

None.

Legal Analysis:

None.