

Department of Arkansas State Police  
Highway Patrol Division

**Non- Commercial Driver's License Testing Rule**

**PURPOSE** – The purpose of this rule is to allow further study time for an unsuccessful candidate on the knowledge portion of the non-commercial driver's license test; which is intended to increase their pass rate and decrease the expenditure of resources by the Arkansas State Police for applicants that may re-test every business day.

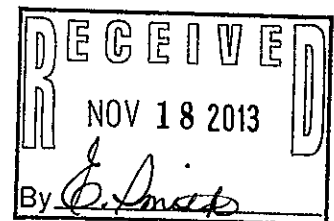
**EXPLANATION** – For a new licensee to obtain a non-commercial driver's license in Arkansas a person must take a knowledge test and a skills test. The successful pass rate of the non-commercial driver's license knowledge examination is approximately 50%. Some individuals take the test numerous times and frequently do so on successive business days in an attempt to obtain a passing score of 80%.

The first, second and third tests cost the applicant \$5.00 each under Arkansas Code §27-16-801 (a)(1)(C)(i). The costs, in expenditure of manpower and resources for the fourth and any later tests, are borne by the Arkansas State Police. It is not unusual to see an applicant re-test as many as eight times prior to passing.

**PROPOSED RULE**

Rule 1. In the event that a person does not successfully complete the knowledge portion of the test for an Arkansas Learner's Permit, Learner's License or Intermediate Driver's License, there shall be a five (5) calendar day waiting period before they will be allowed to re-test.

Version date 11/18/2013



## **ARKANSAS STATE POLICE**

**SUBJECT:** Non-Commercial Driver's License Testing Rules

**DESCRIPTION:** This establishes a period of time a person must wait before retest after an unsuccessful attempt to take the non-commercial driver's license test. Specifically, "Rule 1. In the event that a person does not successfully complete the knowledge portion of the test for an Arkansas Learner's Permit, Learner's License or Intermediate Driver's License, there shall be a five (5) calendar day waiting period before they will be allowed to re-test."

**PUBLIC COMMENT:** A public hearing was held on October 14, 2013. The public comment period expired on October 15, 2013. No public comments were submitted. The proposed effective date is November 15, 2013.

**CONTROVERSY:** This is not expected to be controversial.

**FINANCIAL IMPACT:** There is no financial impact.

**LEGAL AUTHORIZATION:** Arkansas Code Annotated § 27-16-705 authorizes the Department of Arkansas State Police to promulgate any necessary rules to implement, administer, and enforce the law concerning examinations for a driver's license.