

1 State of Arkansas  
2 80th General Assembly  
3 Regular Session, 1995  
4 By: Senators Beebe and Boozman

# A Bill

SENATE BILL 20

## For An Act To Be Entitled

7 "AN ACT TO AMEND THE ARKANSAS CODE TO PROVIDE THAT PERSONS  
8 WITH IMPAIRED VISION MAY TAKE A FIELD DRIVING TEST AND IF  
9 THE PERSON ADMINISTERING THE TEST DETERMINES THAT THE  
10 DRIVER'S VISION IS ADEQUATE; AND FOR OTHER PURPOSES."

## Subtitle

13 "TO PROVIDE THAT PERSONS WITH IMPAIRED  
14 VISION MAY TAKE A FIELD DRIVING TEST"

16 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

18 SECTION 1. Arkansas Code 27-16-804(c) is amended to read as follows:  
19 "(c) All licensees who have a tested uncorrected visual acuity of less  
20 than 20/40 shall be restricted to the operation of a motor vehicle,  
21 motorcycle, or motor-driven cycle only while they are wearing corrective  
22 lenses. Except as provided in §27-16-808, no person shall be allowed to  
23 operate a motor vehicle, motorcycle, or a motor-driven cycle if he has a  
24 tested corrected visual acuity of less than 20/50 or if he has a field of  
25 vision less than one hundred forty degrees (140°) with two (2) functioning  
26 eyes or less than one hundred five degrees (105°) with one (1) functioning  
27 eye."

29 SECTION 2. Arkansas Code 27-16-907(a) is amended to read as follows:  
30 "(a) The office is authorized to suspend the license of any driver  
31 without preliminary hearing upon a showing by its records or other sufficient  
32 evidence that the licensee:

- 33 (1) Has been convicted of an offense for which mandatory revocation of  
34 license is required;
- 35 (2) Has been involved as a driver in any accident resulting in the death

1 or personal injury of another or serious property damage;

2 (3) Is an habitually reckless or negligent driver of a motor vehicle;

3 (4) Is an habitual violator of the traffic laws;

4 (5) Is incompetent to drive a motor vehicle;

5 (6) Has permitted an unlawful or fraudulent use of his license;

6 (7) Has committed an offense in another state which, if committed in  
7 this state, would be grounds for suspension or revocation; or

8 (8) Is receiving any type of welfare, tax, or other benefit or exemption  
9 as a blind or nearly blind person, if the correctable vision of the person is  
10 less than 20/50 in the better eye or if the total visual field of the person  
11 is less than one hundred five degrees (105°). However, if the driver has,  
12 within the past year, passed the field test under §27-16-808, the license  
13 shall not be suspended solely because of vision impairment."  
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15 SECTION 3. Subchapter 8 of Chapter 16 of Title 27 of the Arkansas Code  
16 is amended to read as follows:

17 *"27-16-808. Any person whose vision is so impaired that §27-16-804*  
18 *would prohibit the issuance of a driver\_s license, may request a special*  
19 *driving test prescribed and administered by the Arkansas State Police to*  
20 *determine whether the driver\_s vision is adequate for the safe operation of a*  
21 *motor vehicle, motorcycle, or motordriven cycle. The request must be*  
22 *accompanied by a written statement by an ophthalmologist or optometrist that*  
23 *states that even though the applicant\_s vision is below the standards*  
24 *prescribed by Ark. Code §27-16-804 and -907, the applicant's vision is*  
25 *correctable to at least 20/80 with a visual field of at least 105 degrees. If*  
26 *the applicant successfully completes the special driving test, then they will*  
27 *be issued a limited license valid only during daylight hours on non*  
28 *interstate highways within a twenty (20) mile radius of the applicant's*  
29 *residence. The limited license will be valid for two (2) years."*  
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31 SECTION 4. All provisions of this act of a general and permanent  
32 nature are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas  
33 Code Revision Commission shall incorporate the same in the Code.  
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35 SECTION 5. If any provision of this act or the application thereof to

1 any person or circumstance is held invalid, such invalidity shall not affect  
2 other provisions or applications of the act which can be given effect without  
3 the invalid provision or application, and to this end the provisions of this  
4 act are declared to be severable.

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6 SECTION 6. All laws and parts of laws in conflict with this act are  
7 hereby repealed.

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*/s/Boozman*

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***As Engrossed: 1/19/95 2/1/95 3/9/95***

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