

1 State of Arkansas
2 80th General Assembly
3 Regular Session, 1995
4 By: Senator Fitch

A Bill

SENATE BILL 287

For An Act To Be Entitled

8 "AN ACT TO CLARIFY THE AUTHORITY OF THE OFFICE OF DRIVER
9 SERVICES TO SUSPEND OR REVOKE A LICENSEE_S VALIDLY ISSUED
10 LICENSE UPON CANCELLATION OF AN INVALID LICENSE; AND FOR
11 OTHER PURPOSES."

Subtitle

14 "AN ACT AUTHORIZING THE SUSPENSION OR
15 REVOCATION OF A VALIDLY ISSUED LICENSE
16 UPON CANCELLATION OF AN INVALID
17 LICENSE."

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

21 SECTION 1. Arkansas Code §27-16-903(a) is amended to read as follows:

22 "(a) The office is authorized to cancel any driver_s license upon
23 determining that the licensee was not entitled to the issuance of it under
24 this chapter or that the licensee failed to give the required or correct
25 information in his application or committed any fraud in making the
26 application. Upon cancellation of any such license, the office may suspend
27 or revoke any validly issued license of any licensee found in possession of
28 an invalid license or who has caused or assisted in the issuance of an
29 invalid license. The decision to suspend or revoke the original license of
30 the licensee shall be made in accordance with the provisions of §27-16-907
31 and §27-16-912."

33 SECTION 2. All provisions of this act of a general and permanent
34 nature are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas
35 Code Revision Commission shall incorporate the same in the Code.

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

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8 SECTION 4. All laws and parts of laws in conflict with this act are
9 hereby repealed.

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11 SECTION 5. EMERGENCY. It is hereby found and determined by the
12 General Assembly that the statutory provisions of the driver_s licensing
13 laws, as they pertain to the authority of the Arkansas Department of Finance
14 and Administration, Office of Driver Services, to suspend or revoke the
15 original license of a licensee who is found in possession of an invalid
16 license, or who has caused or assisted in obtaining issuance of an invalid
17 license, lack clarity and have resulted in confusion and uncertainty in the
18 trial courts of this state; that such confusion and uncertainty has impeded
19 the proper administration of these licensing laws in a uniform and consistent
20 manner; and that the immediate implementation of this act is necessary to
21 eliminate such uncertainty and confusion and to reconfirm the authority of
22 the Arkansas Department of Finance and Administration to act upon the
23 original license of a licensee who is found in possession of an invalid
24 license, or who causes or assists in the issuance of an invalid license.
25 Therefore, an emergency is hereby declared to exist and this act being
26 immediately necessary for the preservation of the public peace, health and
27 safety, shall be in full force and effect from and after its passage and
28 approval.

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