

1 State of Arkansas
2 80th General Assembly
3 Regular Session, 1995

A Bill

SENATE BILL 509

4 By: Senators Hardin, Bell, Russ and Beebe

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For An Act To Be Entitled

8 "AN ACT TO INCLUDE MATERIAL CONCERNING ALCOHOL AND DRUGS
9 IN THE DRIVER_S INSTRUCTION MANUAL AND IN THE DRIVER_S
10 LICENSE EXAMINATION; TO PROVIDE MANDATORY ALCOHOL AND DRUG
11 TESTING OF DRIVERS INVOLVED IN FATAL MOTOR VEHICLE
12 ACCIDENTS; AND FOR OTHER PURPOSES."

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Subtitle

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15 "AN ACT CONCERNING THE DRIVER_S
16 INSTRUCTION MANUAL, THE DRIVER_S
17 EXAMINATION; AND MANDATORY ALCOHOL AND
18 DRUG TESTING OF DRIVERS INVOLVED IN
19 FATAL MOTOR VEHICLE ACCIDENTS."

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

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23 SECTION 1. (a) The Driver_s Instruction Manual issued to persons who
24 are preparing to take a driver_s license examination shall include
25 information on driver and safety matters, including the effects of
26 consumption of beverage alcohol products and the use of illegal drugs,
27 prescription drugs, and non-prescription drugs on the ability of a person to
28 operate a motor vehicle; the hazards of driving while under the influence;
29 and the penalties for driving while under the influence.

30 (b) The driver_s license test shall include written questions
31 concerning the effects of consumption of beverage alcohol products and the
32 use of illegal drugs, prescription drugs, and non-prescription drugs on the
33 ability of a person to operate a motor vehicle and the legal and financial
34 consequences resulting from violations of the state_s laws prohibiting the
35 operation of a motor vehicle while under the influence of alcohol or drugs.

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SECTION 2. (a) When the driver of a motor vehicle is involved in an accident resulting in loss of human life, or where there is reason to believe death may result, and there exists probable cause to believe that the driver is guilty of a violation of the state's law prohibiting driving while under the influence, in addition to penalties established elsewhere under state law, a test or tests of the driver's blood, breath or urine must be administered to the driver, including those fatally injured, to determine the presence and percentage concentration of alcohol or drugs in such person's body. The police officer who responds to such collision, the physician in attendance, or any other person designated by state law who was present when the death occurred, shall order the test or tests as soon as practicable.

(b)The medical personnel who conducted the foregoing test or tests of the driver's blood, breath or urine shall forward the results of such test or tests to the Arkansas State Police, which shall establish and maintain the results of the analyses required by subsection (a) in a database. The information in the database shall reflect the number of fatal motor vehicle accidents (1) in which alcohol was found to be a factor, with the percentage alcohol concentration involved; (2) in which drugs were found to be a factor, listing the class of drugs so found and their amounts; and (3) in which both alcohol and drugs were found to be factors, with the percentage alcohol concentration involved and listing the class of drugs so found and their amounts.

(c) The results of the analyses required by this section shall be reported to the Arkansas State Police and may be used by state and local officials only for statistical purposes that do not reveal the identity of the deceased person.

SECTION 3. All provisions of this act of a general and permanent nature are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code Revision Commission shall incorporate the same in the Code.

SECTION 4. If any provision of this act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without

1 the invalid provision or application, and to this end the provisions of this
2 act are declared to be severable.

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4 SECTION 5. All laws and parts of laws in conflict with this act are
5 hereby repealed.

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