

Stricken language would be deleted from present law. Underlined language would be added to present law.

1 State of Arkansas  
2 81st General Assembly  
3 Regular Session, 1997

# A Bill

HOUSE BILL 1637

4  
5 By: Representative Malone

## For An Act To Be Entitled

9 "AN ACT TO AMEND ARKANSAS CODE ANNOTATED § 5-65-104 TO  
10 PROVIDE FOR AN ALCOHOL EDUCATION PROGRAM AND COMPLETION OF  
11 SUCH A PROGRAM PRIOR TO REINSTATEMENT OF DRIVING  
12 PRIVILEGES IN CASES WHERE A LICENSE IS ADMINISTRATIVELY  
13 SUSPENDED OR REVOKED; AND FOR OTHER PURPOSES."

## Subtitle

15 "TO PROVIDE FOR AN ALCOHOL EDUCATION  
16 PROGRAM AND COMPLETION OF SUCH A PROGRAM  
17 PRIOR TO REINSTATEMENT OF DRIVING  
18 PRIVILEGES IN CASES WHERE A LICENSE IS  
19 ADMINISTRATIVELY SUSPENDED OR REVOKED"

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

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24 SECTION 1. Arkansas Code Annotated § 5-65-104 is amended to add the  
25 following subsections:

26 (h) Any person whose license is suspended or revoked pursuant to this  
27 section shall be required to complete an alcohol education program as  
28 prescribed and approved by the Arkansas Highway Safety Program or an alcohol  
29 treatment program as approved by the Bureau of Alcohol and Drug Abuse  
30 Prevention of the Department of Health. Such alcohol education program may  
31 collect a program fee of up to fifty dollars (\$50.00) per enrollee to offset  
32 program costs. A person completing an alcohol education program under this  
33 section may be required to pay, in addition to the costs collected for  
34 education, a fee of up to twenty-five dollars (\$25.00) to offset the  
35 additional costs associated with reporting requirements under this subchapter.  
36 The alcohol education program shall report semiannually to the Arkansas

1 Highway Safety Program all revenue derived from this fee.

2 (i) A person whose license is suspended or revoked pursuant to this  
 3 section shall furnish proof of attendance at and completion of the alcohol  
 4 education or treatment program before reinstatement of his or her suspended or  
 5 revoked drivers license. Application for reinstatement shall be made to the  
 6 Office of Driver Services."

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

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

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

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21 SECTION 5. EMERGENCY. It is found and determined by the General  
 22 Assembly of the State of Arkansas that this act provides for proof of  
 23 attendance at and completion of an alcohol education or treatment program as a  
 24 prerequisite for reinstatement of a license administratively suspended or  
 25 revoked; that the law does not now explicitly authorize such programs for  
 26 administrative suspension or revocation; that lives will be placed in jeopardy  
 27 if individuals whose license has been administratively suspended or revoked  
 28 are not required to furnish proof of attendance of such programs prior to  
 29 reinstatement of license; that rehabilitation of DWI offenders whose license  
 30 has been administratively suspended or revoked is necessary for the welfare of  
 31 the offender as well as others utilizing this States roadways. Therefore an  
 32 emergency is declared to exist and this act being immediately necessary for  
 33 the preservation of the public peace, health and safety shall become effective  
 34 on the date of its approval by the Governor. If the bill is neither approved  
 35 nor vetoed by the Governor, it shall become effective on the expiration of the  
 36 period of time during which the Governor may veto the bill. If the bill is

1 vetoed by the Governor and the veto is overridden, it shall become effective  
2 on the date the last house overrides the veto.

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