

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

As Engrossed: S3/12/97 H3/27/97

A Bill

SENATE BILL 323

4
5 By: Senator Smith
6
7

For An Act To Be Entitled

8
9 "AN ACT TO AMEND VARIOUS SECTIONS OF CHAPTER 16, TITLE 27
10 OF THE ARKANSAS CODE OF 1987 ANNOTATED TO CREATE AN
11 INTERMEDIATE DRIVER LICENSE FOR DRIVERS UNDER EIGHTEEN
12 (18) YEARS OF AGE TO ALLOW FOR THE GRADUAL DEVELOPMENT OF
13 DRIVING SKILLS; TO PROVIDE FOR THE ISSUANCE OF AN
14 INTERMEDIATE DRIVER LICENSE FOR THOSE PERSONS WHO ARE
15 SIXTEEN (16) TO EIGHTEEN (18) YEARS OLD AND TO PLACE
16 GRADUATED RESTRICTIONS ON THOSE DRIVING PRIVILEGES; AND
17 FOR OTHER PURPOSES."

Subtitle

18
19
20 "TO CREATE A DRIVER LICENSE FOR DRIVERS
21 UNDER 18 YEARS OF AGE FOR GRADUATED
22 SKILL LEVELS AND PROVIDE FOR
23 RESTRICTIONS ON DRIVER LICENSES FOR
24 PERSONS 16 TO 18 YEARS OLD."
25

26 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
27

28 SECTION 1. Arkansas Code § 27-16-604 is amended to read as follows:

29 "27-16-604. Persons not to be licensed.

30 (a) The office shall not issue any license under this act to any
31 person:

32 (1) As a noncommercial driver who is under the age of ~~sixteen~~
33 ~~(16) years~~ eighteen (18) years, except that the office may issue ~~a restricted~~
34 an intermediate license as provided to any person who is at least ~~fourteen~~
35 ~~(14)~~ sixteen (16) years of age, and a learners license to any person who is at
36 least fourteen (14) years of age;

1 (2) As a commercial driver who is under the age of eighteen (18)
2 years;

3 (3)(A) As a commercial or noncommercial driver whose license to
4 operate a motor vehicle has been suspended, in whole or in part, by this state
5 or any other state during such suspension; nor

6 (B) To any person whose license has been revoked, in whole
7 or in part, by this state or any other state, until the expiration of one (1)
8 year after such license was revoked;

9 (4) As a commercial or noncommercial driver who is an habitual
10 drunkard or is an habitual user of narcotic drugs or is an habitual user of
11 any other drug to a degree which renders him incapable of safely driving a
12 motor vehicle;

13 (5) As a commercial or noncommercial driver who has previously
14 been adjudged to be afflicted with or suffering from any mental disability or
15 disease and who has not at the time of application been restored to competency
16 by the methods provided by law;

17 (6) As a commercial or noncommercial driver who is required by
18 this act to take an examination, unless the person shall have successfully
19 passed the examination;

20 (7) Who is required under the laws of this state to deposit proof
21 of financial responsibility and who has not deposited such proof;

22 (8) Who is receiving any type of welfare, tax, or other benefit
23 or exemption as a blind or nearly blind person, if the correctable vision of
24 the person is less than 20/50 in the better eye or if the total visual field
25 of the person is less than one hundred five degrees (105°); or

26 (9) When the commissioner has good cause to believe that the
27 operation of a motor vehicle on the highways by the person would be inimical
28 to public safety or welfare.

29 (b) The office is authorized to secure from all state agencies involved
30 the necessary information to comply with the provisions of this section."

31

32 SECTION 2. Arkansas Code § 27-16-701 is amended to read as follows:

33 "27-16-701. Application for license or instruction permit - Restricted
34 permits.

35 (a)(1) Every application for an instruction permit or for a commercial
36 or noncommercial driver's license shall be made upon a form furnished by the

1 Office of Driver Services and every application shall be accompanied by the
2 required fee.

3 (2) The driver's license or noncommercial driver's license shall
4 include the intermediate driver's license issued to persons who are less than
5 eighteen (18) years of age and the learners license issued to persons who are
6 less than sixteen (16) years of age.

7 (b) Every application shall state the full name, date of birth, sex,
8 residence address of the applicant, and briefly describe the applicant and
9 shall state whether the applicant has theretofore been licensed as a driver,
10 and, if so, when and by what state or country, and whether any such license
11 has ever been suspended or revoked or whether an application has ever been
12 refused, and, if so, the date of and reason for suspension, revocation, or
13 refusal.

14 (c)(1) Every application form for an instruction permit, a commercial
15 or noncommercial driver's license, or for any renewal of these licenses or
16 permits shall include space for the applicant's social security number if he
17 has been assigned such a number.

18 (2) Every applicant shall supply his social security number on
19 the application form when he has been assigned such a number, except that an
20 applicant for an instruction permit for a noncommercial driver's license shall
21 not be required to supply his or her social security number and may choose
22 whether to use his or her social security number on the application.

23 (d) Every application for an instruction permit or for a driver's
24 license by a person less than eighteen (18) years old on October 1 of any year
25 shall be accompanied by:

26 (1)(A) Proof of receipt of a high school diploma or its
27 equivalent or enrollment and regular attendance in an adult education program
28 or a public, private, or parochial school.

29 (i) A student enrolled in school shall present proof
30 of a C average for the previous semester or grading period in order to be
31 issued a license.

32 (ii) A student with disabilities receiving special
33 education or related services or a student enrolled in an adult education
34 program shall present proof that the student is successfully completing his
35 individual education plan in order to be issued a license.

36 (B) Regular attendance in a school shall be attendance in

1 compliance with the established written policy of the school district or
2 school concerning truancy.

3 (C) Regular attendance in an adult education program shall
4 be attendance in compliance with the policy for sixteen (16) and seventeen
5 (17) year olds established by the State Board of Vocational Education as
6 provided for in § 6-18-222;

7 (2)(A) Proof that such person is being provided schooling at home
8 as described in § 6-15-501 et seq.

9 (B) A student enrolled in a home school shall present proof
10 that he is successfully completing his course of study as required by
11 §§ 6-15-504 and 6-15-505 in order to be issued a license.

12 (C)(i) If the student becomes eligible for a license before
13 taking the annual achievement test for that school year, he may be issued a
14 temporary license either upon the presentation of satisfactory test results
15 from the previous school year or, if the student was not enrolled in a home
16 school during the previous school year, proof of satisfactory progress in the
17 public or private school in which he was last enrolled.

18 (ii) The temporary license shall expire upon the next
19 July 1 after it is issued; or

20 (3) Proof that such person is enrolled in a postsecondary
21 vocational-technical program, a community college, or a two-year or four-year
22 institution of higher education-; and

23 (4) A check of the applicants driving record to verify that the
24 applicant for a learners license or an intermediate driver license has been
25 free of a serious accident and conviction of a serious traffic violation for
26 the last six (6) months and an applicant with a intermediate driver's license
27 applying for a regular license has been free of a serious accident and
28 conviction of a serious traffic violation for the last twelve (12) months; and

29 (5) An acknowledgement signed by the applicant of a learners
30 license that he is aware that all passengers riding in his motor vehicle shall
31 wear seat belts at all times and that he is restricted to driving only when
32 accompanied by a driver over the age of twenty-one (21) years old; and

33 (6) An acknowledgement signed by the applicant for an
34 intermediate license that all passengers riding in his motor vehicle shall
35 wear seat belts at all times and that he is restricted from driving between
36 the hours of 12:30 A.M. and 5:30 A.M., unless accompanied by a driver over the

1 age of twenty-one (21) years old provided that this time restriction shall not
2 apply to any person driving to or from a school sponsored activity or
3 employment.

4 (e) The Department of Education shall develop guidelines for use by
5 school districts to provide a certified exemption from the C average
6 requirement of subdivision (d)(1)(A)(i) of this section to a student found to
7 be performing at his or her fullest level of capability although such may be
8 below a C average.

9 (f)(1) Any person less than eighteen (18) years old who is unable to
10 meet the requirements of ~~subsection (d)~~ subdivisions (d)(1) through (d)(3) of
11 this section may petition the Office of Driver Services that he or she be
12 issued a restricted permit for employment-related purposes.

13 (2)(A) The Office of Driver Services shall advise the person of
14 the time and place for making such request and for the hearing thereon, which
15 shall be conducted within a reasonable time following the application date.

16 (B) Such notice shall be given by mailing the notice to the
17 last known address of the person seeking the restricted permit.

18 (3)(A) In cases where demonstrable financial hardship would
19 result from the failure to issue a learner's permit or driver's license, the
20 Department of Finance and Administration may grant exceptions only to the
21 extent necessary to ameliorate the hardship.

22 (B) If it can be demonstrated that the conditions for
23 granting a hardship were fraudulent, the parent, guardian, or person in loco
24 parentis shall be subject to all applicable perjury statutes.

25 (g) The Department of Finance and Administration shall have the power
26 to promulgate rules and regulations to carry out the intent of this section
27 and shall distribute to each public, private, and parochial school and each
28 adult education program a copy of all rules and regulations adopted under this
29 section."

30

31 SECTION 3. Arkansas Code § 27-16-702 is amended to read as follows:

32 "27-16-702. Application of minor for instruction permit or learners
33 license or intermediate driver's license, etc.

34 (a)(1)(A) The original application of any person under the age of
35 eighteen (18) years for an instruction permit, a learners license, an
36 intermediate driver's license, or motor-driven cycle or motorcycle license

1 shall be signed and verified before a person authorized to administer oaths by
2 either the father or mother of the applicant, if either is living and has
3 custody.

4 (B) In the event neither parent is living or has custody,
5 then the application shall be signed by the person or guardian having custody
6 or by an employer of the minor.

7 (C) In the event there is no guardian or employer, then the
8 application shall be signed by any other responsible person who is willing to
9 assume the obligations imposed under this subchapter upon a person signing the
10 application of a minor.

11 (2) For purposes of this section, duly authorized agents of the
12 commissioner shall be authorized to administer oaths without charge.

13 (b) Any negligence or willful misconduct of a minor under the age of
14 eighteen (18) years when driving a motor vehicle upon a highway shall be
15 imputed to the person who signed the application of the minor for a permit or
16 license, regardless of whether the person who signed was authorized to sign
17 under subsection (a) of this section, which person shall be jointly and
18 severally liable with the minor for any damages caused by the negligence or
19 willful misconduct.

20 (c)(1) If any person who is required or authorized by subsection (a) of
21 this section to sign the application of a minor in the manner therein provided
22 shall cause, or knowingly cause, or permit his child or ward or employee under
23 the age of eighteen (18) years to drive a motor vehicle upon any highway, then
24 any negligence or willful misconduct of the minor shall be imputed to this
25 person, and this person shall be jointly and severally liable with the minor
26 for any damages caused by such negligence or willful misconduct.

27 (2) The provisions of this subsection shall apply regardless of
28 the fact that a learners license or an intermediate driver's license may or
29 may not have been issued to the minor.

30 (3) For purposes of this section, a minor is defined to be any
31 person who has not attained the age of eighteen (18) years.

32 (d) The provisions of this section shall apply in all civil actions,
33 including, but not limited to, both actions on behalf of and actions against
34 the persons required or authorized by subsection (a) of this section to sign
35 the application in the manner therein provided."

36

1 SECTION 4. Arkansas Code § 27-16-704 is amended to read as follows:

2 "27-16-704. Examinations of applicants.

3 (a) Every applicant for a driver's license, except as otherwise
4 provided in this act, shall be examined in accordance with the provisions of
5 this section.

6 (b)(1) The examination shall be held in the county where the applicant
7 resides within not more than thirty (30) days from the date application is
8 made.

9 (2) The examination shall include a test of the applicant's
10 eyesight, ability to read and understand the highway traffic laws of this
11 state, and shall include an actual demonstration of the applicant's ability to
12 exercise ordinary and reasonable control in the operation of a motor vehicle,
13 and such further physical and mental examination deemed necessary by the
14 office to operate a motor vehicle safely upon the highways.

15 (3) The test of the applicant's eyesight shall examine his visual
16 acuity to read road signs and identify objects at a distance.

17 (4) The applicant shall have a minimum uncorrected visual acuity
18 of 20/40 for an unrestricted license and a minimum corrected visual acuity of
19 20/50 for a restricted license. The applicant's field of vision shall be at
20 least one hundred forty degrees (140°) for a person with two (2) functional
21 eyes and at least one hundred five degrees (105°) for a person with one (1)
22 functional eye.

23 (5) Applicants who fail the eyesight test shall be instructed
24 that they should have their eyes examined by an eye care professional and
25 secure corrective lenses, if necessary.

26 (6) The test of the applicant's eyesight shall be made on an
27 optical testing instrument approved under standards established by the
28 Director of the Department of Finance and Administration and the Department of
29 Arkansas State Police.

30 (7) In addition, the applicant for a learners license and an
31 intermediate driver's license shall have his driving record checked to verify
32 that he has been free of a serious accident and conviction of a serious
33 traffic violation for the last six (6) months and that an applicant with an
34 intermediate driver's license applying for a regular license has been free of
35 a serious accident and conviction of a serious traffic violation for the last
36 twelve (12) months.

1 (c)(1) No applicant for an original license, that is, an applicant who
2 has never been licensed previously by any jurisdiction, shall be permitted to
3 demonstrate ability to operate a motor vehicle as required under the
4 provisions of this chapter unless and until the applicant has in his
5 possession a valid instruction permit properly issued not less than thirty
6 (30) days prior to the date of application, unless otherwise determined by the
7 office.

8 (2) The instruction permit required under this subchapter shall
9 be issued in accordance with the provisions of this act."

10

11 SECTION 5. Arkansas Code § 27-16-801 is amended to read as follows:

12 "27-16-801. Licenses generally - Validity periods - Contents - Fees -
13 Disposition of moneys.

14 (a)(1) In a manner prescribed by the commissioner, the office shall
15 issue:

16 (A) A Class D license or a Class M license to each
17 applicant eighteen (18) or more years old and qualified therefor, for a period
18 of four (4) years, upon payment of twelve dollars (\$12.00), and an
19 intermediate Class D or Class M license to each applicant between sixteen (16)
20 and eighteen (18) years of age, for a period of up to two (2) years, upon
21 payment of six dollars (\$6.00), and a learners Class D license to each
22 applicant between fourteen (14) and sixteen (16) years of age, for a period of
23 up to two (2) years, upon payment of six dollars (\$6.00);

24 (B) A Class MD license to each applicant qualified
25 therefor, for a period of not more than two (2) years, upon payment of two
26 dollars (\$2.00);

27 (C) Every applicant for a Class D, Class M, or Class MD
28 license under §§ 27-16-704, 27-16-807, or 27-20-108 shall pay an examination
29 fee of five dollars (\$5.00) for the first examination and a fee of five
30 dollars (\$5.00) for each subsequent examination, except that for each
31 examination after the third examination there shall be no charge if the
32 applicant produces receipts for having paid the fees for the previous
33 examinations. The examination fee shall be remitted in a manner prescribed by
34 the commissioner.

35 (2) Each license shall include:

36 (A) A distinguishing number assigned to the licensee;

1 (B) The name, residence address, date of birth, and a brief
2 description of the licensee; and

3 (C) A space upon which the licensee may affix his
4 signature.

5 (3) The licensee shall affix his signature in ink in a space
6 provided, and no license shall be valid until it shall have been so signed by
7 the licensee.

8 (4)(A) At the time of initial issuance or at the time of renewal
9 of a license, the distinguishing number assigned to the licensee for his
10 license shall be the same as the licensee's social security number when the
11 licensee has been assigned a social security number, or shall be a nine-digit
12 number assigned to the specific licensee by the commissioner when the licensee
13 has not been assigned a social security number.

14 (B) However, an applicant for the issuance or renewal of a
15 Class D, Class M, or Class MD license may choose whether to use his or her
16 social security number or a nine-digit number assigned by the commissioner as
17 his or her license number.

18 (b)(1)(A) All licenses, as described in subsection (a) of this section,
19 shall include a color photograph of the licensee, and such photograph shall be
20 made a part of the license at the time of application.

21 (B) [Repealed.]

22 (2) A license may be valid without a photograph of the licensee
23 when the commissioner is advised that the requirement of the photograph is
24 either objectionable on the grounds of religious belief or the licensee is
25 unavailable to have the photograph made.

26 (c)(1) In addition to the license fee prescribed by subsection (a) of
27 this section, the office shall collect a penalty equal to fifty percent (50%)
28 of the amount thereof from each driver, otherwise qualified, who shall operate
29 a motor vehicle over the highways of this state without a valid license.

30 (2) Such penalty shall be in addition to any other penalty which
31 may be prescribed by law.

32 (d) All license fees collected under subsection (a) of this section
33 shall be deposited in the State Treasury as special revenues, and the net
34 amount thereof shall be credited to the Department of Arkansas State Police
35 Fund, to be used for the operation, maintenance, and improvement of the
36 Department of Arkansas State Police.

1 (e)(1) The office shall not charge an additional fee for the color
2 photograph provided for in subsection (b) of this section for those applicants
3 making a renewal application for the first time.

4 (2) In addition to the regular license fee, a fee of one dollar
5 (\$1.00) shall be charged for all subsequent renewals.

6 (3) All persons applying for an Arkansas license for the first
7 time and all persons who are required to take the driver's written examination
8 as provided for in this act shall be charged the additional fee of one dollar
9 (\$1.00).

10 (4) All persons who are required to have their eyesight tested
11 prior to initial licensing or upon subsequent license renewal as provided for
12 in this act shall be charged an additional fee of one dollar (\$1.00) upon
13 issuance of the license.

14 (5) Each learner's license and intermediate driver license issued
15 shall be distinctive from the regular driver's license issued to a person
16 eighteen (18) or more years old.

17 (f) The office shall provide on the reverse side of the driver's
18 license issued a statement and space whereby the licensee may certify
19 willingness to make an anatomical gift under the provisions of § 20-17-601 et
20 seq.

21 (g) Moneys collected from the penalty fee provided in subsection (c) of
22 this section and the fees provided in subsection (e) of this section shall be
23 deposited in the State Treasury into the Constitutional Officers Fund and the
24 State Central Services Fund, and the net amount shall be credited to the
25 Department of Finance and Administration to be used to help defray the cost of
26 the driver license program which shall be payable therefrom.

27 (h) Such fees as are collected under subsection (a) of this section
28 shall be remitted to the State Treasury, there to be deposited as special
29 revenues to the credit of the Department of Arkansas State Police Fund, to be
30 used for the operation, maintenance, and improvement of the Department of
31 Arkansas State Police."

32

33 SECTION 6. Arkansas Code § 27-16-802 is amended to read as follows:

34 "27-16-802. Instruction permits.

35 (a)(1) Any person who is at least fourteen (14) years of age may apply
36 to the office for an instruction permit.

1 (2) The office may, in its discretion, after the applicant has
2 successfully passed all parts of the examination other than the driving test,
3 issue to the applicant an instruction permit which shall entitle the applicant
4 while having the permit in his immediate possession to drive a motor vehicle
5 upon the public highways for a period of sixty (60) days when accompanied by a
6 licensed driver who ~~has had at least one (1) year of driving experience~~ is at
7 least twenty-one (21) years of age and who is occupying a seat beside the
8 driver, except in the event the permittee is operating a motorcycle.

9 (3) Any such instruction permit may be renewed or a new permit
10 issued for an additional period of ninety (90) days as long as the permittee
11 has remained free of a serious accident and conviction of a serious traffic
12 violation for at least the last six (6) months.

13 (4) Any passengers riding in the motor vehicle while a permittee
14 is driving shall wear seat belts at all times.

15 (b)(1) The office, upon receiving proper application may, in its
16 discretion, issue a restricted instruction permit effective for a school year
17 or a more restricted permit to an applicant who is enrolled in a driver
18 education program which includes practice driving and which is approved by the
19 office even though the applicant has not reached the legal age to be eligible
20 for a noncommercial license.

21 (2) The instruction permit shall entitle the permittee when he
22 has the permit in his immediate possession to operate a motor vehicle only on
23 a designated highway or within a designated area, but only when an approved
24 instructor is occupying a seat beside the permittee."

25

26 SECTION 7. Arkansas Code § 27-16-804 is amended to read as follows:

27 "27-16-804. Restricted licenses, learners licenses, and intermediate
28 licenses.

29 (a) The office, upon issuing any driver's license, shall have
30 authority, whenever good cause appears, to impose restrictions suitable to the
31 licensee's driving ability with respect to the type of or special mechanical
32 control devices required on a motor vehicle which the licensee may operate or
33 such other restrictions applicable to the licensee as the office may determine
34 to be appropriate to assure the safe operation of a motor vehicle by the
35 licensee.

36 (b)(1) The office may either issue a special restricted license or may

1 set forth such restrictions upon the usual license form.

2 ~~(2) All licensees under the age of sixteen (16) years shall be~~
3 ~~restricted to operation of a motor vehicle, motorcycles and motor-driven~~
4 ~~cycles excepted, only while accompanied by a licensed driver who is twenty-one~~
5 ~~(21) years of age or older, unless otherwise determined by the office. The~~
6 ~~office may, upon showing of need, waive any age restriction set forth in this~~
7 ~~chapter.~~

8 (c) All licensees who have a tested uncorrected visual acuity of less
9 than 20/40 shall be restricted to the operation of a motor vehicle,
10 motorcycle, or motor-driven cycle only while they are wearing corrective
11 lenses. No person shall be allowed to operate a motor vehicle, motorcycle, or
12 a motor-driven cycle if he has a tested corrected visual acuity of less than
13 20/50 of if he has a field of vision less than one hundred forty degrees
14 (140[°]) with two (2) functioning eyes or less than one hundred five degrees
15 (105[°]) with one (1) functioning eye.

16 (d) The office may, upon receiving satisfactory evidence of any
17 violation of the restrictions of a license, suspend or revoke it, but the
18 licensees shall be entitled to a hearing as upon a suspension or revocation
19 under this chapter.

20 (e) It is a misdemeanor for any person to operate a motor vehicle in
21 any manner in violation of the restrictions imposed in a restricted license
22 issued to him.

23 (f) The office shall have authority to issue a restricted driver
24 license to those persons under sixteen (16) years of age called a learners
25 license. The learners license shall be issued only to an applicant with a
26 valid instruction permit who is at least fourteen (14) years of age, who has
27 remained free of a serious accident and conviction of a serious traffic
28 violation in the last six (6) months, and who meets all other licensing
29 examinations requirements of this chapter. The driver with a learners license
30 shall operate the motor vehicle on the public streets and highways only when:

31 (1) all passengers in the vehicle are wearing their seat belts at
32 all times; and

33 (2) he is being accompanied by a driver over the age of
34 twenty-one (21) years old.

35 (g) The office shall have authority to issue a restricted driver
36 license to those persons under eighteen (18) years of age called an

1 intermediate driver's license. The intermediate driver license shall be
2 issued only to an applicant with a valid instruction permit or a learners
3 license who is at least sixteen (16) years of age, who has remained free of a
4 serious accident and conviction of a serious traffic violation for at least
5 the last six (6) months, and who meets all other licensing examinations
6 requirements of this chapter. The driver with an intermediate driver license
7 shall operate the motor vehicle on the public streets and highways only when:

8 (1) all passengers in the vehicle are wearing their seat belts at
9 all times; and

10 (2) the time of day is between the hours of 5:30 A.M. and 12:30
11 A.M. unless he is being accompanied by a driver over the age of twenty-one
12 (21) years old provided that this restriction shall not apply to any person
13 driving to or from a school sponsored activity or employment.

14 (h) No motor vehicle, nor the operator of a vehicle, nor the passengers
15 of the vehicle shall be stopped, inspected, or detained solely to determine
16 compliance with the requirement set out in this subchapter for wearing a seat
17 belt."

18

19 SECTION 8. Arkansas Code § 27-16-901 is amended to read as follows:

20 "27-16-901. Expiration and renewal of licenses.

21 (a)(1) ~~Every~~ Except for the intermediate driver license and the
22 learners license, every driver's license shall expire at the end of the month
23 in which it was issued four (4) years from its date of initial issuance unless
24 the commissioner shall provide, by regulation, for some other staggered basis
25 of expiration. A learners license shall be issued for no more than a two (2)
26 year period and shall expire upon the driver reaching sixteen (16) years of
27 age. Any person sixteen (16) years of age may apply for an intermediate
28 driver license provided their driving record is free of a serious accident and
29 conviction of a serious traffic violation for the most recent six (6) month
30 period. Intermediate drivers' licenses shall be issued for no more than a two
31 (2) year period and shall expire upon the driver reaching age eighteen (18)
32 years of age and may be renewed at that time as a regular driver license for
33 four (4) years, so long as the intermediate driver has been free of a serious
34 accident and conviction of a serious traffic violation for at least twelve
35 (12) months prior to arriving at their eighteenth birthday.

36 (2)(A) The commissioner shall have the authority, by regulation,

1 to shorten or lengthen the term of any driver's license period, as necessary,
2 to ensure that approximately twenty-five percent (25%) of the total valid
3 licenses are renewable each fiscal year.

4 (B)(i) All driver's licenses subject to change under this
5 subsection shall also be subject to a pro rata adjustment of the license fee
6 charged in § 27-16-801(a).

7 (ii) The adjustment of the fee shall be carried out
8 in the manner determined by the commissioner by regulation.

9 (b) Every driver's license shall be renewable on or before its
10 expiration upon completion of an application, payment of the fees designated
11 in § 27-16-801, and passage of the eyesight test required in § 27-16-704 and
12 shall be renewed without other examination, unless the commissioner has reason
13 to believe that the licensee is no longer qualified to receive a license."
14

15 SECTION 9. All provisions of this act of general and permanent nature
16 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code
17 Revision Commission shall incorporate the same in the Code.
18

19 SECTION 10. If any provisions of this act or the application thereof to
20 any person or circumstance is held invalid, the invalidity shall not affect
21 other provisions or applications of the act which can be given effect without
22 the invalid provisions or application, and to this end the provisions of this
23 act are declared to be severable.
24

25 SECTION 11. All laws and parts of laws in conflict with this act are
26 hereby repealed.
27
28

29 /s/Senator Smith
30
31
32
33
34
35