1 State of Arkansas

2 82nd General Assembly

A Bill

3 Regular Session, 1999   HOUSE BILL   1079

4

5 By: Representative Elliott

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8   **For An Act To Be Entitled**

9   "AN ACT TO AMEND ARKANSAS CODE 27-16-604 PERTAINING TO

10   RESTRICTED DRIVERS' LICENSES; AND FOR OTHER PURPOSES."

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12   **Subtitle**

13   "TO AMEND ARKANSAS CODE 27-16-604

14   PERTAINING TO RESTRICTED DRIVERS'

15   LICENSES."

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

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20   SECTION 1. Arkansas Code 27-16-604(a) is amended to read as follows:

21   "(a) The office shall not issue any license under this act to any

22 person:

23   (1) As a noncommercial driver who is under the age of sixteen

24 (16) years, except that the office may issue a restricted license as provided

25 to any person who is at least fourteen (14) years of age;

26   (2) As a commercial driver who is under the age of eighteen (18)

27 years;

28   (3)(A) As a commercial or noncommercial driver whose license to

29 operate a motor vehicle has been suspended, in whole or in part, by this state

30 or any other state during such suspension; nor

31   (B) To any person whose license has been revoked, in whole

32 or in part, by this state or any other state, until the expiration of one (1)

33 year after such license was revoked;

34   (4) As a commercial or noncommercial driver who is an habitual

35 drunkard or is an habitual user of narcotic drugs or is an habitual user of

36 any other drug to a degree which renders him incapable of safely driving a

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1   motor vehicle;

2   (5) As a commercial or noncommercial driver who has previously

3   been adjudged to have any mental disability or disease and who has not at the

4   time of application been restored to competency by the methods provided by

5   law;

6   (6) As a commercial or noncommercial driver who is required by

7   this act to take an examination, unless the person shall have successfully

8   passed the examination;

9   (7) Who is required under the laws of this state to deposit proof

10 of financial responsibility and who has not deposited such proof;

11   (8) Who is receiving any type of welfare, tax, or other benefit

12 or exemption as a blind or nearly blind person, if the correctable vision of

13 the person is less than 20/50 in the better eye or if the total visual field

14 of the person is less than one hundred five degrees (105°); ~~or~~

15   (9) When the commissioner has good cause to believe that the

16 operation of a motor vehicle on the highways by the person would be inimical

17 to public safety or welfare~~.~~;

18   (10) Any person who is making an initial application for an

19 Arkansas driver's license and who is not lawfully within the United States~~.~~;

20 <u>or</u>

21   <u>(11) Who is a noncommercial driver between the ages of sixteen</u>

22 <u>(16) and eighteen (18) years who has not possessed a restricted license for at</u>

23 <u>least six (6) months.</u>"

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25   SECTION 2. Arkansas Code 27-16-802(a) is amended to read as follows:

26   "(a)(1) Any person who is at least fourteen (14) years of age may apply

27 to the office for an instruction permit.

28   (2) The office may, in its discretion, after the applicant has

29 successfully passed all parts of the examination other than the driving test,

30 issue to the applicant an instruction permit which shall entitle the applicant

31 while having the permit in his immediate possession to drive a motor vehicle

32 upon the public highways for a period of ~~sixty (60) days~~ <u>six (6) months</u> when

33 accompanied by a licensed driver, eighteen (18) years of age or older, who has

34 had at least one (1) year of driving experience and who is occupying a seat

35 beside the driver, except in the event the permittee is operating a

36 motorcycle.

1   (3)   Any such instruction permit may be renewed or a new permit

2   issued for an additional period of ~~ninety (90) days~~ <u>six (6) months</u>."

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4   SECTION 3. All provisions of this act of a general and permanent nature

5   are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code

6   Revision Commission shall incorporate the same in the Code.

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8   SECTION 4. If any provision of this act or the application thereof to

9   any person or circumstance is held invalid, such invalidity shall not affect

10 other provisions or applications of the act which can be given effect without

11 the invalid provision or application, and to this end the provisions of this

12 act are declared to be severable.

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14   SECTION 5. All laws and parts of laws in conflict with this act are

15 hereby repealed.

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