

Stricken language would be deleted from and underlined language would be added to law as it existed prior to the 82nd General Assembly.

1 State of Arkansas
2 82nd General Assembly
3 Regular Session, 1999
4

As Engrossed: S3/15/99 S3/26/99

A Bill

SENATE BILL 921

5 By: Senator K. Smith
6
7

For An Act To Be Entitled

9 "AN ACT TO AMEND VARIOUS SECTIONS OF CHAPTER 16, TITLE
10 27 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
13 OF 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;
17 AND FOR OTHER PURPOSES. "
18

Subtitle

19 "TO CREATE A DRIVER LICENSE FOR DRIVERS
20 UNDER 18 YEARS OF AGE FOR GRADUATED
21 SKILL LEVELS AND PROVIDE FOR
22 RESTRICTIONS ON DRIVER LICENSES FOR
23 PERSONS 16 TO 18 YEARS OLD. "
24
25
26

27 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
28

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

30 "27-16-604. Persons not to be licensed.

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

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

1 at least fourteen (14) years of age;

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

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

7 (B) To any person whose license has been revoked, in whole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9 year after such license was revoked;

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

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

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

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

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

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

30 (10) *Any person who is making an initial application for an*
31 *Arkansas driver's license and who is not lawfully within the United States.*

32 (b) The office is authorized to secure from all state agencies involved
33 the necessary information to comply with the provisions of this section."
34

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

36 "27-16-701. Application for license or instruction permit - Restricted

1 permits.

2 (a)(1) Every application for an instruction permit or for a commercial
3 or noncommercial driver's license shall be made upon a form furnished by the
4 Office of Driver Services and every application shall be accompanied by the
5 required fee.

6 (2) The driver's license or noncommercial driver's license shall
7 include the intermediate driver's license issued to persons who are less than
8 eighteen (18) years of age and the *learner's* license issued to persons who are
9 less than sixteen (16) years of age.

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

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

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

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

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

32 (i) *In order to be issued a license, a student*
33 *enrolled in school shall present proof of a 'C' average for the previous*
34 *semester or similar equivalent grading period for which grades are recorded as*
35 *part of the student's permanent record.*

36 (ii) A student with disabilities receiving special

1 education or related services or a student enrolled in an adult education
2 program shall present proof that the student is successfully completing his
3 individual education plan in order to be issued a license.

4 (B) "Regular attendance" in a school shall be attendance in
5 compliance with the established written policy of the school district or
6 school concerning truancy.

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

11 ~~(2)(A) Proof that such person is being provided schooling at home~~
12 ~~as described in § 6-15-501 et seq. in the form of a notarized copy of the~~
13 ~~written notice of intent to home school the student provided by the parent or~~
14 ~~guardian to the superintendent of the local school district as required by §~~
15 ~~6-15-503. Proof that such person is being provided schooling at home as~~
16 ~~described in § 6-15-501 through 6-15-507.~~

17 (B) A student enrolled in a home school shall present proof that
18 he is successfully completing his course of study as required by §6-15-504 and
19 6-15-505 in order to be issued a license.

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

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

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

31 (4) A check of the applicant's driving record to verify that the
32 applicant for a learner's license or an intermediate driver license has been
33 free of a serious accident and conviction of a serious traffic violation for
34 the last six (6) months and an applicant with an intermediate driver's license
35 applying for a regular license has been free of a serious accident and
36 conviction of a serious traffic violation for the last twelve (12) months; and

1 (5) An acknowledgement signed by the applicant of a Learner's
2 license that he is aware that all passengers riding in his motor vehicle shall
3 wear seat belts at all times and that he is restricted to driving only when
4 accompanied by a driver over the age of twenty-one (21) years old; and

5 (6) An acknowledgement signed by the applicant for an
6 intermediate license that all passengers riding in his motor vehicle shall
7 wear seat belts at all times and that he is restricted from driving between
8 the hours of 12:30 A.M. and 5:30 A.M., unless accompanied by a driver over the
9 age of twenty-one (21) years old provided that this time restriction shall not
10 apply to any person driving to or from a school sponsored activity or
11 employment.

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

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

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

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

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

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

33 (g) The Department of Finance and Administration shall have the power
34 to promulgate rules and regulations to carry out the intent of this section
35 and shall distribute to each public, private, and parochial school and each
36 adult education program a copy of all rules and regulations adopted under this

1 section."

2

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

4 "27-16-702. Application of minor for instruction permit or Learner's
5 license or intermediate driver's license, etc.

6 (a)(1)(A) The original application of any person under the age of
7 eighteen (18) years for an instruction permit, a Learner's license, an
8 intermediate driver's license, or motor-driven cycle or motorcycle license
9 shall be signed and verified before a person authorized to administer oaths by
10 either the father or mother of the applicant, if either is living and has
11 custody.

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

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

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

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

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

35 (2) The provisions of this subsection shall apply regardless of
36 the fact that a Learner's license or an intermediate driver's license may or

1 may not have been issued to the minor.

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

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

8

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

10 "27-16-704. Examinations of applicants.

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

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

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

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

25 (4) The applicant shall have a minimum uncorrected visual acuity
26 of 20/40 for an unrestricted license and a minimum corrected visual acuity of
27 20/50 for a restricted license. The applicant's field of vision shall be at
28 least one hundred forty degrees (140°) for a person with two (2) functional
29 eyes and at least one hundred five degrees (105°) for a person with one (1)
30 functional eye.

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

34 (6) The test of the applicant's eyesight shall be made on an
35 optical testing instrument approved under standards established by the
36 Director of the Department of Finance and Administration and the Department of

1 Arkansas State Police.

2 (7) In addition, the applicant for a learner's license and an
3 intermediate driver's license shall have his driving record checked to verify
4 that he has been free of a serious accident and conviction of a serious
5 traffic violation for the last six (6) months and that an applicant with an
6 intermediate driver's license applying for a regular license has been free of
7 a serious accident and conviction of a serious traffic violation for the last
8 twelve (12) months.

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

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

18

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

20 "27-16-801. Licenses generally - Validity periods - Contents - Fees -
21 Disposition of moneys.

22 (a)(1) In a manner prescribed by the commissioner, the office shall
23 issue:

24 (A) A Class D license or a Class M license to each
25 applicant eighteen (18) or more years old and qualified therefor, for a period
26 of four (4) years, upon payment of twelve dollars (\$12.00), and an
27 intermediate Class D or Class M license to each applicant between sixteen (16)
28 and eighteen (18) years of age, for a period of up to two (2) years, upon
29 payment of twelve dollars (\$12.00), and a learner's Class D license to each
30 applicant between fourteen (14) and sixteen (16) years of age, for a period of
31 up to two (2) years, upon payment of twelve dollars (\$12.00);

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

35 (C) Every applicant for a Class D, Class M, or Class MD
36 license under §§ 27-16-704, 27-16-807, or 27-20-108 shall pay an examination

1 fee of five dollars (\$5.00) for the first examination and a fee of five
2 dollars (\$5.00) for each subsequent examination, except that for each
3 examination after the third examination there shall be no charge if the
4 applicant produces receipts for having paid the fees for the previous
5 examinations. The examination fee shall be remitted in a manner prescribed by
6 the commissioner.

7 (2) Each license shall include:

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

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

11 (C) A space upon which the licensee may affix his
12 signature.

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

16 (4)(A) At the time of initial issuance or at the time of renewal
17 of a license, the distinguishing number assigned to the licensee for his
18 license shall be the same as the licensee's social security number when the
19 licensee has been assigned a social security number, or shall be a nine-digit
20 number assigned to the specific licensee by the commissioner when the licensee
21 has not been assigned a social security number.

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

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

29 (B) [Repealed.]

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

34 (c)(1) In addition to the license fee prescribed by subsection (a) of
35 this section, the office shall collect a penalty equal to fifty percent (50%)
36 of the amount thereof from each driver, otherwise qualified, who shall operate

1 a motor vehicle over the highways of this state without a valid license.

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

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

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

12 (2) In addition to the regular license fee, a fee of one dollar
13 (\$1.00) shall be charged for all subsequent renewals.

14 (3) All persons applying for an Arkansas license for the first
15 time and all persons who are required to take the driver's written examination
16 as provided for in this act shall be charged the additional fee of one dollar
17 (\$1.00).

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

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

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

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

35 (h) Such fees as are collected under subsection (a) of this section
36 shall be remitted to the State Treasury, there to be deposited as special

1 revenues to the credit of the Department of Arkansas State Police Fund, to be
2 used for the operation, maintenance, and improvement of the Department of
3 Arkansas State Police."

4
5 SECTION 6. Arkansas Code §27-16-802 is amended to read as follows:

6 "27-16-802. Instruction permits.

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

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

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

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

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

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

33
34 SECTION 7. Arkansas Code §27-16-804 is amended to read as follows:

35 "27-16-804. Restricted licenses, Learner's licenses, and intermediate
36 licenses.

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

8 (b)(1) The office may either issue a special restricted license or may
9 set forth such restrictions upon the usual license form.

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

16 (c) All licensees who have a tested uncorrected visual acuity of less
17 than 20/40 shall be restricted to the operation of a motor vehicle,
18 motorcycle, or motor-driven cycle only while they are wearing corrective
19 lenses. No person shall be allowed to operate a motor vehicle, motorcycle, or
20 a motor-driven cycle if he has a tested corrected visual acuity of less than
21 20/50 or if he has a field of vision less than one hundred forty degrees
22 (140°) with two (2) functioning eyes or less than one hundred five degrees
23 (105°) with one (1) functioning eye.

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

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

31 (f) The office shall have authority to issue a restricted driver
32 license to those persons under sixteen (16) years of age called a learner's
33 license. The learner's license shall be issued only to an applicant with a
34 valid instruction permit who is at least fourteen (14) years of age, who has
35 remained free of a serious accident and conviction of a serious traffic
36 violation in the last six (6) months, and who meets all other licensing

1 examinations requirements of this chapter. The driver with a *Learner's*
 2 license shall operate the motor vehicle on the public streets and highways
 3 only when:

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

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

8 (g) The office shall have authority to issue a restricted driver
 9 license to those persons under eighteen (18) years of age called an
 10 intermediate driver's license. The intermediate driver license shall be
 11 issued only to an applicant with a valid instruction permit or a *Learner's*
 12 license who is at least sixteen (16) years of age, who has remained free of a
 13 serious accident and conviction of a serious traffic violation for at least
 14 the last six (6) months, and who meets all other licensing *examination*
 15 requirements of this chapter. The driver with an intermediate driver license
 16 shall operate the motor vehicle on the public streets and highways only when:

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

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

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

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

29 "27-16-901. Expiration and renewal of licenses.

30 (a)(1) ~~Every~~ Except for the intermediate driver license and the
 31 *Learner's* license, every driver's license shall expire at the end of the month
 32 in which it was issued four (4) years from its date of initial issuance unless
 33 the commissioner shall provide, by regulation, for some other staggered basis
 34 of expiration. A *Learner's* license shall be issued for no more than a two (2)
 35 year period and shall expire upon the driver reaching sixteen (16) years of
 36 age. Any person sixteen (16) years of age may apply for an intermediate

1 driver license provided their driving record is free of a serious accident and
2 conviction of a serious traffic violation for the most recent six (6) month
3 period. Intermediate driver's licenses shall be issued for no more than a two
4 (2) year period and shall expire upon the driver reaching age eighteen (18)
5 years of age and may be renewed at that time as a regular driver license for
6 four (4) years, so long as the intermediate driver has been free of a serious
7 accident and conviction of a serious traffic violation for at least twelve
8 (12) months prior to arriving at their eighteenth (18th) birthday.

9 (2)(A) The commissioner shall have the authority, by regulation,
10 to shorten or lengthen the term of any driver's license period, as necessary,
11 to ensure that approximately twenty-five percent (25%) of the total valid
12 licenses are renewable each fiscal year.

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

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

18 (b) Every driver's license shall be renewable on or before its
19 expiration upon completion of an application, payment of the fees designated
20 in §27-16-801, and passage of the eyesight test required in §27-16-704 and
21 shall be renewed without other examination, unless the commissioner has reason
22 to believe that the licensee is no longer qualified to receive a license."
23

24 SECTION 9. The provisions of this act shall be effective July 1, 2000.
25

26 SECTION 10. All provisions of this act of a general and permanent
27 nature are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas
28 Code Revision Commission shall incorporate the same in the Code.
29

30 SECTION 11. If any provision of this act or the application thereof to
31 any person or circumstance is held invalid, such invalidity shall not affect
32 other provisions or applications of the act which can be given effect without
33 the invalid provision or application, and to this end the provisions of this
34 act are declared to be severable.
35

36 SECTION 12. All laws and parts of laws in conflict with this act are

1 hereby repeal ed.

/s/ K. Smith

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