

1 State of Arkansas  
2 86th General Assembly  
3 Regular Session, 2007

# A Bill

HOUSE BILL 1463

4  
5 By: Representative Overbey  
6  
7

## For An Act To Be Entitled

9 AN ACT TO ALLOW THE ISSUANCE OF RESTRICTED  
10 DRIVING PERMITS TO PERSONS WITH SUSPENDED  
11 DRIVER'S LICENSES FOR THE PURPOSE OF TRANSPORTING  
12 MINOR DEPENDENTS TO SCHOOL OR CHILDCARE; TO  
13 REPEAL OBSOLETE LAW; AND FOR OTHER PURPOSES.  
14

## Subtitle

15 AN ACT TO ALLOW PERSONS WITH SUSPENDED  
16 LICENSES TO TRANSPORT MINOR DEPENDENTS  
17 TO SCHOOL OR CHILDCARE AND TO REPEAL  
18 OBSOLETE LAW.  
19  
20  
21

22 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
23

24 SECTION 1. Arkansas Code § 5-65-120 is amended to read as follows:  
25 5-65-120 Restricted driving permit.

26 (a) Following an administrative hearing for suspension or revocation  
27 of a driver's license as provided for in § 5-65-402, upon a request of a  
28 person whose privilege to drive has been denied or suspended, the Office of  
29 Driver Services or its designated agent may modify the denial or suspension  
30 in a case of extreme and unusual hardship by the issuance of a restricted  
31 driving permit when, upon a review of the person's driving record for a time  
32 period of five (5) years prior to the current suspension or denial of driving  
33 privilege, at the discretion of the office or its designated agent it is  
34 determined that:

35 (1) The person:

36 (A) Is not a multiple traffic law offender; or



1 (B) Does not present a threat to the general public; and  
2 (2) No other adequate means of transportation exists for the  
3 person except to allow driving in any of the following situations:  
4 (A) To and from the person's place of employment;  
5 (B) In the course of the person's employment;  
6 (C) To and from an educational institution for the purpose  
7 of attending a class if the person is enrolled and regularly attending a  
8 class at the institution;  
9 (D) To and from the alcohol safety education and treatment  
10 course for drunk drivers; ~~or~~  
11 (E) To and from a hospital or clinic for medical treatment  
12 or care for an illness, disease, or other medical condition of the person or  
13 a family member; or  
14 (F) To or from a minor dependent's school or place of  
15 childcare.

16 (b) The restricted driving permit shall state the specific times and  
17 circumstances under which driving is permitted.

18 (c) The restricted driving permit shall not be granted to any person  
19 suspended for a second or subsequent offense of violating § 5-65-103, § 5-65-  
20 205, § 5-65-303, or § 5-65-310.

21 ~~(d) For any arrest or offense occurring before July 30, 1999, and the~~  
22 ~~offense has not reached a final disposition as to judgment in court, the~~  
23 ~~offense shall be decided under the law in effect at the time the offense~~  
24 ~~occurred, and any defendant is subject to the penalty provisions in effect at~~  
25 ~~that time and not under the provisions of this section.~~