

1 State of Arkansas  
2 86th General Assembly  
3 Regular Session, 2007  
4

# A Bill

HOUSE BILL 1501

5 By: Representative Adcock  
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## For An Act To Be Entitled

9 AN ACT TO REQUIRE LICENSE PLATE SANCTIONS TO BE  
10 IMPOSED AGAINST A PERSON RESTRICTED TO OPERATING  
11 ONLY A MOTOR VEHICLE EQUIPPED WITH A FUNCTIONING  
12 IGNITION INTERLOCK DEVICE FOR A THIRD OR  
13 SUBSEQUENT OFFENSE OF DWI; TO PROVIDE FOR THE  
14 ISSUANCE OF A SPECIAL DWI LICENSE PLATE; AND FOR  
15 OTHER PURPOSES.  
16

## Subtitle

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18 TO REQUIRE LICENSE PLATE SANCTIONS UNDER  
19 CERTAIN CIRCUMSTANCES FOR A MOTOR  
20 VEHICLE EQUIPPED WITH A FUNCTIONING  
21 IGNITION INTERLOCK DEVICE AND TO PROVIDE  
22 FOR THE ISSUANCE OF A SPECIAL DWI  
23 LICENSE PLATE.  
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25

26 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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28 SECTION 1. Arkansas Code § 5-65-118(b), concerning the actions that  
29 must be taken by the Office of Driver Services upon restricting a person to  
30 operate only a motor vehicle that is equipped with a functioning ignition  
31 interlock device, is amended to read as follows:

32 (b) Upon restricting the offender to the use of an ignition interlock  
33 device, the office shall:

34 (1)(A) State on the record the requirement for and the period of  
35 use of the ignition interlock device.

36 (B) However, if the office restricts the offender to the



1 use of an ignition interlock device in conjunction with the issuance of an  
 2 ignition interlock restricted license under a provision of § 5-65-104, the  
 3 period of requirement of use of the ignition interlock device shall be at  
 4 least the remaining time period of the original suspension imposed under § 5-  
 5 65-104, ~~and so notify the office;~~

6 (2) Ensure that the records of the office reflect that the  
 7 person may not operate a motor vehicle that is not equipped with an ignition  
 8 interlock device;

9 (3) Attach or imprint a notation on the driver's license of any  
 10 person restricted under this section stating that the person may operate only  
 11 a motor vehicle equipped with an ignition interlock device;

12 (4) Require the person restricted under this section to show  
 13 proof of installation of a certified ignition interlock device prior to the  
 14 issuance by the office of an ignition interlock restricted license under a  
 15 provision of § 5-65-104;

16 (5) Require proof of the installation of the ignition interlock  
 17 device and periodic reporting by the person for verification of the proper  
 18 operation of the ignition interlock device;

19 (6) Require the person to have the ignition interlock device  
 20 serviced and monitored at least every sixty-seven (67) days for proper use  
 21 and accuracy by an entity approved by the Division of Health of the  
 22 Department of Human Services; ~~and~~

23 (7)(A) Require the person to pay the reasonable cost of leasing  
 24 or buying and monitoring and maintaining the ignition interlock device.

25 (B) The office may establish a payment schedule for the  
 26 reasonable cost of leasing or buying and monitoring and maintaining the  
 27 ignition interlock device; and

28 (8) For a third or subsequent offense involving § 5-65-103,  
 29 require the person to obtain a DWI license plate under § 27-15-103 to be  
 30 placed on the motor vehicle equipped with the ignition interlock device for  
 31 the period of time that the person is subject to the ignition interlock  
 32 restricted license.

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 34 SECTION 2. Arkansas Code Title 27, Chapter 15, Subchapter 1 is amended  
 35 to add an additional section to read as follows:

36 27-15-103. DWI license plates.

(a) The Office of Motor Vehicle shall develop a DWI license plate that shall be displayed on any motor vehicle that is subject to § 5-65-118(b)(8).

(b)(1) The DWI license plate shall be a bright pink color that is easily distinguishable from other license plates issued in this state.

(2) The word "Arkansas" shall appear at the top of the DWI license plate and the first three (3) letters in the alphanumeric numbering system used on the DWI license plate shall be "DWI".

(c) In addition to any other fee or charge collected upon the issuance of a license plate, an annual surcharge of twenty dollars (\$20) shall be collected for each DWI license plate.

(d) The Director of the Department of Finance and Administration shall promulgate rules as necessary to effectuate compliance with this section.

SECTION 3. Effective date.

This act becomes effective on January 1, 2008.