

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

State of Arkansas
86th General Assembly
Regular Session, 2007

A Bill

HOUSE BILL 2528

By: Representative Abernathy

For An Act To Be Entitled

AN ACT TO OPT-OUT OUT OF THE FEDERAL READ ID ACT
OF 2005; AND FOR OTHER PURPOSES.

Subtitle

TO OPT-OUT OUT OF THE FEDERAL REAL ID
ACT OF 2005.

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

SECTION 1. Arkansas Code Title 27, Chapter 16 is amended to add an additional section as follows:

27-16-104. Limitation on authority to enter into agreements.

(a) Notwithstanding any provision of this subtitle that requires an applicant to provide reasonable proof of residence for renewal of a noncommercial driver's license, a noncommercial instruction permit, or an identification card, an applicant shall not have his or her privacy rights compromised in order to obtain or renew an Arkansas driver's license or identification card.

(b) Any data derived from a person's application for a driver's license or identification card shall not be shared with any other organization or any other state without the express permission of the applicant, other than law enforcement, without a court order.

(c) The State of Arkansas shall protect the privacy of its citizens when handling any written, digital, or electronic data, and shall not participate in any national identification system that uses driver's license records.



1 SECTION 2. Arkansas Code § 27-16-1107 is amended as follows:

2 27-16-1107. ~~Linking of databases~~ Database administration.

3 (a)(1) The Director of the Department of Finance and Administration
4 shall ensure that the State of Arkansas is eligible to receive any grant or
5 other type of financial assistance made available under federal law regarding
6 driver's license security and modernization.

7 (2) The director shall not enter into any agreement that is in
8 violation of § 27-16-104.

9 (b) The director shall implement and oversee a motor vehicle database
10 that contains at a minimum the following information:

11 (1) All data fields printed on driver's licenses and
12 identification cards issued by the Office of Driver Services of the State of
13 Arkansas; and

14 (2) Motor vehicle driver's histories, including motor vehicle
15 violations, suspensions, and points on licenses.