

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.

1 State of Arkansas
2 86th General Assembly
3 Regular Session, 2007
4
5 By: Senator Madison
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7

A Bill

SENATE BILL 247

For An Act To Be Entitled

9 AN ACT TO ALLOW THE DEPARTMENT OF HEALTH AND
10 HUMAN SERVICES TO APPOINT A SIGNEE SO THAT A
11 CHILD IN STATE CUSTODY MAY OBTAIN AN INSTRUCTION
12 PERMIT, A LEARNER'S LICENSE, OR AN INTERMEDIATE
13 DRIVER'S LICENSE; AND FOR OTHER PURPOSES.
14

Subtitle

15 TO ALLOW THE DEPARTMENT OF HEALTH AND
16 HUMAN SERVICES TO APPOINT A SIGNEE SO
17 THAT A CHILD IN STATE CUSTODY MAY OBTAIN
18 AN INSTRUCTION PERMIT, A LEARNER'S
19 LICENSE, OR AN INTERMEDIATE DRIVER'S
20 LICENSE.
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24 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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26 SECTION 1. Arkansas Code § 27-16-702(a), regarding the application of
27 a minor for an instruction permit, a learner's license, or an intermediate
28 driver's license, is amended to read as follows:

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

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



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

5 (D) For a person under eighteen (18) years of age in the
 6 custody of the Department of Health and Human Services, the Director of the
 7 Division of Children and Family Services of the Department of Health and
 8 Human Services or his or her designee may authorize an employee of the
 9 department or any foster parent to sign the application.

10 (2) For purposes of this section, duly authorized agents of the
 11 Commissioner of Motor Vehicles shall be authorized to administer oaths
 12 without charge.
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14 SECTION 2. Arkansas Code § 27-16-702(b), regarding the application of
 15 a minor for an instruction permit, a learner’s license, or an intermediate
 16 driver’s license, is amended to read as follows:

17 (b)(1) Any Except as provided under subdivision (b)(2) of this
 18 section, any negligence or willful misconduct of a minor under eighteen (18)
 19 years of age when driving a motor vehicle upon a highway shall be imputed to
 20 the person who signed the application of the minor for a permit or license,
 21 regardless of whether the person who signed was authorized to sign under
 22 subsection (a) of this section, which person shall be ~~jointly and severally~~
 23 liable with the minor for any damages caused by the negligence or willful
 24 misconduct.

25 (2)(A) For a person under eighteen (18) years of age in the
 26 custody of the Department of Health and Human Services, any negligence or
 27 willful misconduct of the person when driving a motor vehicle upon a highway
 28 shall not be imputed to the authorized employee or authorized foster parent
 29 who signed the application of the minor for a permit or license.

30 (B) The authorized employee or authorized foster parent
 31 shall not be held liable in conjunction with the minor for any damages caused
 32 by the negligence or willful misconduct of the minor.
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34 SECTION 3. Arkansas Code § 27-16-702(c)(1), , regarding the
 35 application of a minor for an instruction permit, a learner’s license, or an
 36 intermediate driver’s license, is amended to read as follows:

1 (c)(1) If any person who is required or authorized by subsection (a)
2 of this section to sign the application of a minor in the manner therein
3 provided shall cause, or knowingly cause, or permit his or her child or ward
4 or employee under eighteen (18) years of age to drive a motor vehicle upon
5 any highway, then any negligence or willful misconduct of the minor shall be
6 imputed to this person, and this person shall be ~~jointly and severally~~ liable
7 with the minor for any damages caused by such negligence or willful
8 misconduct.

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