

1 State of Arkansas  
2 88th General Assembly  
3 Regular Session, 2011  
4  
5 By: Representative Lea  
6

As Engrossed: H3/14/11

# A Bill

HOUSE BILL 1497

## For An Act To Be Entitled

8 AN ACT TO AMEND ARKANSAS CODE § 27-16-1105 TO PROVIDE  
9 DISCRETION TO THE OFFICE OF DRIVER SERVICES REGARDING  
10 ACCEPTANCE OF DOCUMENTS TO QUALIFY FOR ISSUANCE OF A  
11 DRIVER'S LICENSE OR IDENTIFICATION CARD; AND FOR  
12 OTHER PURPOSES.

## Subtitle

16 TO PROVIDE DISCRETION TO THE OFFICE OF  
17 DRIVER SERVICES REGARDING ACCEPTANCE OF  
18 DOCUMENTS TO QUALIFY FOR A DRIVER'S  
19 LICENSE OR IDENTIFICATION CARD.

22 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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24 SECTION 1. Arkansas Code § 27-16-1105(a)(1), concerning the minimum  
25 issuance standards for driver's licenses, is amended to read as follows:

26 (a)(1) Except as provided under subdivisions (a)(2), (a)(3), and  
27 (b)(1) of this section regarding the renewal, duplication, or reissuance of a  
28 driver's license or identification card, to meet the requirements of this  
29 section the Office of Driver Services shall require at a minimum presentation  
30 of the following information before issuing a driver's license or  
31 identification card to a person:

32 (A) A photo identity document, except that a nonphoto  
33 identity document is acceptable if it includes both the person's full legal  
34 name and date of birth;

35 (B) Documentation showing the person's date of birth;

36 (C) Proof of the person's social security account number



1 or verification that the person is not eligible for a social security account  
2 number; and

3 (D) Evidence of legal status that includes valid  
4 documentary evidence that the person:

5 (i) Is a citizen of the United States;

6 (ii) Is an alien lawfully admitted for permanent or  
7 temporary residence in the United States;

8 (iii) Has conditional permanent resident status in  
9 the United States;

10 (iv) Has a valid, unexpired nonimmigrant visa or  
11 nonimmigrant visa status for entry into the United States;

12 (v) Has a pending or approved application for asylum  
13 in the United States;

14 (vi) Has entered into the United States in refugee  
15 status;

16 (vii) Has a pending or approved application for  
17 temporary protected status in the United States;

18 (viii) Has approved deferred action status; or

19 (ix) Has a pending application for adjustment of  
20 status to that of an alien lawfully admitted for permanent residence in the  
21 United States or conditional permanent resident status in the United States.  
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23 SECTION 2. Arkansas Code § 27-16-1105(a), concerning the minimum  
24 issuance standards for driver's licenses, is amended to add an additional  
25 subdivision to read as follows:

26 (3)(A)(i) The office may establish by rule a written and defined  
27 exceptions process for a person who is unable to present all the necessary  
28 documents for a driver's license or identification card and who must rely  
29 upon alternate documents.

30 (ii) The office shall accept alternate documents only to  
31 establish identity or date of birth of the person.

32 (B) A person wishing to obtain a driver's license or  
33 identification card using alternate documents shall demonstrate to the office  
34 that the person is relying on alternate documents due to reasons beyond the  
35 person's control.

36 (C)(i) The office shall determine whether the alternate

1 documents presented possess reasonable indications of reliability.

2 (ii) The alternate documents are subject to reasonable  
3 verification by the office.

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5 /s/Lea

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