1	State of Arkansas	As Engrossed: H3/9/15	
2	90th General Assembly	A Bill	
3	Regular Session, 2015		HOUSE BILL 1613
4			
5	By: Representative Hickerson	ı	
6	By: Senator Hickey		
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8		For An Act To Be Entitled	
9	AN ACT TO CREATE A DRIVER MONITORING PROGRAM TO BE		
10	ADMINISTERED BY THE OFFICE OF DRIVER SERVICES; TO		
11	AUTHORIZE	THE OFFICE OF DRIVER SERVICES T	O MONITOR
12	CERTAIN DE	RIVER RECORDS AND FURNISH DRIVER	MONITORING
13	REPORTS;	TO ESTABLISH APPROPRIATE FEES; A	ND FOR OTHER
14	PURPOSES.		
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17		Subtitle	
18	TO C	REATE A DRIVER MONITORING PROGRA	AM
19	ADMI	NISTERED BY THE OFFICE OF DRIVER	R
20	SERV	ICES; AND TO AUTHORIZE THE OFFIC	CE OF
21	DRIV	ER SERVICES TO FURNISH DRIVER	
22	MONI	TORING REPORTS.	
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24			
25	BE IT ENACTED BY THE O	GENERAL ASSEMBLY OF THE STATE OF	ARKANSAS:
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27	SECTION 1. Arka	ansas Code $$27-23-118(b)$$ and (c	), concerning
28	distribution of fees of	collected under the Arkansas Uni	form Commercial Driver
29	License Act, are amend	ded to read as follows:	
30	(b) The fee set	out in § $\frac{27-23-117(b)}{27-23-117}$	(2) shall be deposited
31	as special revenues in	nto the State Treasury and distr	ibuted as follows:
32	(1) Four o	dollars (\$4.00) of the fee shall	be deposited to the
33	credit of the <del>division</del>	a in the fund Revenue Division o	f the Department of
34	Finance and Administra	ation in the Commercial Driver L	icense Fund; and
35	(2) The re	emaining six dollars (\$6.00) of	the fee shall be
36	distributed in the man	<del>nner set forth in § 27-50-910</del> <u>de</u>	posited to the credit of

1 the State Highway and Transportation Department Fund for distribution as 2 provided in the Arkansas Highway Revenue Distribution Law, § 27-70-201 et 3 seq. 4 (c) The fee set out in 27-23-117(c) 27-23-117(3) shall be deposited 5 as special revenues into the State Treasury and distributed as follows: 6 (1) One dollar (\$1.00) of the fee shall be deposited to the 7 credit of the division in the fund Revenue Division of the Department of 8 Finance and Administration in the Commercial Driver License Fund; and 9 (2) The remaining six dollars (\$6.00) of the fee shall be 10 distributed in the manner set forth in § 27-50-910 deposited to the credit of the State Highway and Transportation Department Fund for distribution as 11 12 provided in the Arkansas Highway Revenue Distribution Law, § 27-70-201 et 13 seq. 14 15 SECTION 2. Arkansas Code § 27-50-906(a)(7)(B), concerning notice and 16 information provided to a driver that the driver's record has been reported, 17 is amended to read as follows: 18 (B) (i) No  $\underline{A}$  driver's record shall not be reported to any individual except duly authorized officials of the office unless a copy of 19 20 the report and the name of the individual or organization that received the 21 report are sent to the driver named in the report. 22 (ii) The notice and information required by 23 subdivision (a)(7)(B)(i) need not be sent when a driver monitoring report is 24 furnished under § 27-50-912; and 25 26 SECTION 3. Arkansas Code § 27-50-906(a)(8)(B), concerning the 27 additional fee for the electronic transmission of a driver's license status 28 report, is amended to read as follows: 29 (B) The Information Network of Arkansas may charge an 30 additional fee under the Information Network of Arkansas Act, § 25-27-101 et 31 seq., for the service of transmitting this information electronically. 32 33 SECTION 4. Arkansas Code § 27-50-906(c)(2), concerning the fee charged by the Information Network of Arkansas for electronically transmitting a 34 35 driver confirmation record, is amended to read as follows: 36 (2) The network may charge an additional fee under the

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1	<u>Information Network of Arkansas Act, § 25-27-101 et seq.</u> , for the service of		
2	transmitting this information electronically.		
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4	SECTION 5. Arkansas Code § 27-50-910 is repealed.		
5	27-50-910. Disposition of funds.		
6	Moneys collected under the provisions of this subchapter shall be		
7	special revenues and deposited into the State Treasury to the credit of the		
8	State Highway and Transportation Department Fund for distribution as provided		
9	in the Arkansas Highway Revenue Distribution Law, § 27-70-201 et seq.		
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11	SECTION 6. Arkansas Code Title 27, Chapter 50, Subchapter 9, is		
12	amended to add an additional section to read as follows:		
13	27-50-912. Driver monitoring program — Reports.		
14	(a) As used in this section:		
15	(1) "Driver monitoring report" means a report issued by the		
16	Office of Driver Services to an insurer, under a written agreement between		
17	the office and the insurer, that indicates whether a driver has had a traffi		
18	violation or accident during the previous month; and		
19	(2) "Insurer" means:		
20	(A) An insurance company licensed to do business in this		
21	state; or		
22	(B) The authorized agent of an insurance company licensed		
23	to do business in this state.		
24	(b) The office shall establish a driver monitoring program to monitor		
25	and report the driving records of individuals at the request of an insurer.		
26	(c) The office may enter into a written agreement with an insurer to		
27	monitor the driver record of persons holding an Arkansas driver's license and		
28	provide a monthly driver monitoring report for each insured or driver		
29	monitored. The office may cancel this agreement at any time.		
30	(d) The driver monitoring report shall:		
31	(1) Indicate whether a violation is posted to the official		
32	driver record during the previous month.		
33	(2) Not identify the specific violation or violations posted on		
34	the driver record; and		
35	(3) Be used by an insurer solely to evaluate the driving record		
36	of current policy holders for re-underwriting purposes.		

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1	(e) The office is not required to provide the notice and information	
2	required by § 27-50-906(a)(7)(B) when issuing a driver monitoring report.	
3	(f)(1) The office may charge a monthly fee of not less than twelve	
4	cents (12¢) and not more than nineteen cents (19¢) for each insured	
5	monitored.	
6	(2) The office authorizes that one cent (1¢) of the revenues	
7	from subdivision (f)(1) of this section shall be special revenues and	
8	deposited into the State Treasury to the credit of the State Highway and	
9	Transportation Department Fund for distribution as provided in the Arkansas	
10	Highway Revenue Distribution Law, § 27-70-201 et seq.	
11	(3) The remaining revenues derived from subdivision (f)(1) of	
12	this section shall be deposited into the State Central Services Fund as	
13	direct revenue to be used by the Revenue Division of the Department of	
14	Finance and Administration.	
15	(4) The Information Network of Arkansas may charge insurers or	
16	their agents an additional fee under the Information Network of Arkansas Act,	
17	§ 25-27-101 et seq., for transmitting a driver monitoring report	
18	electronically.	
19	(g) The insurer is required to purchase a driving record pursuant to	
20	27-23-117(3) for any monitored insured or driver when the driver monitoring	
21	report indicates a violation has been posted to the driver's record during	
22	the previous month.	
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24	SECTION 7. EFFECTIVE DATE. This act is effective on and after January	
25	<u>1, 2016.</u>	
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27	/s/Hickerson	
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