

1 State of Arkansas
2 91st General Assembly
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4

As Engrossed: H3/14/17 H3/22/17

A Bill

HOUSE BILL 2203

5 By: Representative Tucker
6 By: Senator J. Hutchinson
7

For An Act To Be Entitled

9 AN ACT CONCERNING DRIVER'S LICENSES; CONCERNING THE
10 ABILITY OF A PERSON WITH A SUSPENDED DRIVER'S LICENSE
11 TO DRIVE TO AND FROM WORK; CONCERNING A HARDSHIP
12 LICENSE; AND FOR OTHER PURPOSES.
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Subtitle

15 CONCERNING DRIVER'S LICENSES; CONCERNING
16 THE ABILITY OF A PERSON WITH A SUSPENDED
17 DRIVER'S LICENSE TO DRIVE TO AND FROM
18 WORK; AND CONCERNING A HARDSHIP LICENSE.
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22 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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24 *SECTION 1. Arkansas Code § 27-16-801(h)(1), concerning the definition*
25 *of an inmate of the Department of Correction or Department of Community*
26 *Correction who is eligible for an identification card or a driver's license,*
27 *is amended to read as follows:*

28 *(h)(1) As used in this subsection:*

29 *(A) "Custody" means:*

30 *(i) Being an inmate of the Department of Correction*
31 *and housed in a facility operated by the Department of Correction; or*

32 *(ii) Being an inmate of the Department of Community*
33 *Correction and housed in a detention facility; and*

34 *(B) "~~eligible~~ "Eligible inmate" means a person who is*
35 *within ~~one hundred twenty (120)~~ one hundred eighty (180) days of release from*
36 *custody by the Department of Correction or the Department of Community*



1 Correction.

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3 SECTION 2. Arkansas Code Title 27, Chapter 16, Subchapter 8, is
4 amended to add an additional section to read as follows:

5 27-16-815. Probationer and parolee restricted permits.

6 (a)(1) If a person on probation or parole for an offense that did not
7 involve the operation of a motor vehicle has his or her license suspended for
8 a reason not listed under § 27-16-915(b)(2)(C), the person may be eligible
9 for a restricted driving permit under this section that permits the holder to
10 drive a motor vehicle directly to and directly home from:

11 (A) A place where he or she is employed;

12 (B) A place where he or she, or his or her minor child,
13 attends school;

14 (C) A scheduled meeting with his or her probation or
15 parole officer; or

16 (D) Any place, location, or meeting that the person's
17 probation or parole officer has directed the person on probation or parole to
18 travel to or attend.

19 (2) This section does not apply to a person with an expired
20 driver's license.

21 (b)(1) A person on probation or parole is required to be in the
22 process of paying toward any outstanding fine or fee assessed by a court,
23 under terms and conditions set by the court, if applicable, or absent terms
24 and conditions set by the court, the person on probation or parole is
25 required to be paying toward any outstanding fine or fee as required by the
26 person's probation or parole officer.

27 (2) Failure to satisfy the payments toward a fine or fee as
28 required under subdivision (b)(1) of this section may result in revocation of
29 the restricted driving permit.

30 (c)(1) A probation or parole officer employed by the Department of
31 Community Correction who supervises a person on probation or parole with a
32 suspended driver's license may issue a restricted driving permit under this
33 section that allows the person on probation or parole to drive a motor
34 vehicle to and from a place listed under subsection (a) of this section.

35 (2)(A) A restricted driving permit issued under this section
36 shall be a standardized permit, and the person possessing a restricted

1 driving permit under this section shall have the restricted driving permit in
2 his or her possession at all times when the person is operating a motor
3 vehicle until the person's driver's license is no longer suspended.

4 (B)(i) A restricted driving permit shall include the
5 address of the person's residence and the address of each location to and
6 from where the person is permitted to drive under this section.

7 (ii) The person's name and address on a restricted
8 driving permit under this section shall match the person's name and address
9 as listed on a valid state-issued identification in the person's possession.

10 (3) The person's probation or parole officer may revoke a
11 restricted driving permit issued under this section at any time and for any
12 reason.

13 (d) A person who knowingly creates a fraudulent restricted driving
14 permit, the purpose of which is to be used as a restricted driving permit
15 under this section upon conviction is guilty of a Class A misdemeanor.

16 (e) A motor vehicle liability insurance carrier may provide liability
17 insurance for a person issued a restricted driving permit under this section
18 but is not required to issue an insurance policy for a person who has been
19 issued a restricted driving permit under this section.

20 (f)(1) A person on probation or parole who has been issued a
21 restricted driving permit under this section shall continue to have his or
22 her driver's license suspended until the person has satisfied all the
23 requirements necessary to remove his or her driver's license from suspension.

24 (2) Once the person on probation or parole has his or her
25 driver's license removed from suspension, he or she shall be free from the
26 restrictions placed on him or her under this section.

27 (g) A restricted driving permit issued under this section expires on
28 the earlier of the following dates:

29 (1) Twelve (12) months from the date of issuance unless reissued
30 by a person's probation or parole officer; or

31 (2) The date on which the person is released from probation or
32 parole supervision.

33 (h) The department may promulgate rules to implement this section.

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35 SECTION 3. Arkansas Code § 27-16-1105(a)(3)(A), concerning minimum
36 issuance standards for a driver's license, is amended to read as follows:

