

State of Arkansas
93rd General Assembly
Regular Session, 2021

A Bill

HOUSE BILL 1244

By: Representative Haak

For An Act To Be Entitled

AN ACT TO AUTHORIZE THE ISSUANCE OF A DRIVER'S
LICENSE OR AN IDENTIFICATION CARD WITHOUT A
PHOTOGRAPH IN CERTAIN CIRCUMSTANCES; AND FOR OTHER
PURPOSES.

Subtitle

TO AUTHORIZE THE ISSUANCE OF A DRIVER'S
LICENSE OR AN IDENTIFICATION CARD WITHOUT
A PHOTOGRAPH IN CERTAIN CIRCUMSTANCES.

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

SECTION 1. Arkansas Code § 27-16-801(a)(2)(B), concerning the issuance of a driver's license, is amended to read as follows:

(B) The examination fee shall be remitted in a manner prescribed by the ~~commissioner~~ Secretary of the Department of Finance and Administration.

SECTION 2. Arkansas Code § 27-18-801(b)(2), the issuance of a driver's license, is amended to read as follows:

(2)(A) A license ~~may be~~ is valid without a photograph of the licensee when the ~~commissioner~~ secretary is advised that the requirement of the photograph is either objectionable on the grounds of the licensee's sincerely held religious belief that prohibits an individual having his or her photograph taken or the licensee is unavailable to have the photograph made.

(B) A license shall be issued without a photograph based



on a licensee's sincerely held religious belief as authorized under subdivision (b)(2)(A) of this section if the:

(i) Licensee is fifteen (15) years of age or older;

and

(ii) Licensee or his or her parent or guardian provides a completed Internal Revenue Service Form 4029 or signs an affidavit attesting to his or her sincerely held religious belief that prohibits an individual having his or her photograph taken.

(C)(i) A license issued under subdivision (b)(2)(B) of this section is not valid for:

(a) Federal identification purposes; or

(b) Voter identification purposes.

(ii) The license issued under subdivision (b)(2)(B) of this section shall clearly display on its face the phrase "Not valid for federal identification purposes or voter identification purposes".

SECTION 3. Arkansas Code § 27-16-805 is amended to read as follows:

27-16-805. Identification purposes only.

(a)(1) The Office of Driver Services may issue an identification card to ~~those~~ Arkansas residents five (5) years of age or older who are not licensed drivers.

(2) The fee for the identification card ~~shall be~~ is five dollars (\$5.00).

(b)(1)(A) For ~~those~~ persons under sixty (60) years of age, the identification card ~~shall be~~ is valid for either four (4) years or two (2) years, depending on the person's age, and is renewable upon expiration.

(B) For persons fourteen (14) years of age ~~and~~ or older, the identification card ~~shall be~~ is valid for four (4) years from the date of issue.

(C)(i) For persons five (5) years of age to thirteen (13) years of age, the identification card ~~shall be~~ is valid for two (2) years from the date of issue, and a parent, legal guardian, grandparent, or sibling over eighteen (18) years of age must accompany the applicant to the issuing location and sign the electronic application.

(ii)(a) For persons issued a an identification card under this subdivision (b)(1)(C), up to three (3) identification cards may be

issued at the request of a parent, legal guardian, grandparent, or sibling ~~over~~ eighteen (18) years of age or older.

(b) The request for more than one (1) identification card shall be made on the date the initial identification card is issued.

(c) The fee for each identification card ~~shall~~ be is five dollars (\$5.00).

(2) ~~Those persons~~ Persons who are sixty (60) years of age or older who qualify for ~~this~~ the identification card shall be issued the identification card to be valid for the life of the holder.

(c) ~~Each~~ Except as provided in subsection (e) of this section, each identification card shall contain:

- (1) A color photograph of the applicant;
- (2) A physical description of the applicant;
- (3) The birthdate of the applicant;
- (4) The address of the applicant;
- (5) The date of issue; and
- (6) The expiration date.

(d)(1) ~~Any~~ A person who applies for a card ~~shall be~~ is required to show proof of identity.

(2) Refusal of an applicant to show proof of identity shall result in denial of the application.

(e)(1) An identification card shall be issued and is valid without a photograph based on an applicant's sincerely held religious belief if the:

- (A) Applicant is fifteen (15) years of age or older; and
- (B) Applicant or his or her parent or guardian provides a completed Internal Revenue Service Form 4029 or signs an affidavit attesting to his or her sincerely held religious belief that prohibits an individual having his or her photograph taken.

(2)(A) An identification card issued under subdivision (e)(1) of this section is not valid for:

- (i) Federal identification purposes; or
 - (ii) Voter identification purposes.
- (B) The identification card issued under subdivision (e)(1) of this section shall clearly display on its face the phrase "Not valid for federal identification purposes or voter identification purposes"

APPROVED: 3/4/21