

State of Arkansas
95th General Assembly
Regular Session, 2025

A Bill

SENATE BILL 498

By: Senator J. Petty

By: Representative N. Burkes

For An Act To Be Entitled

AN ACT TO AMEND THE LAW CONCERNING DISCLOSURE OF DRIVER AND VEHICLE RECORDS; TO PROTECT DRIVER AND VEHICLE RECORDS FROM PUBLIC DISCLOSURE; AND FOR OTHER PURPOSES.

Subtitle

TO AMEND THE LAW CONCERNING DISCLOSURE OF DRIVER AND VEHICLE RECORDS AND TO PROTECT DRIVER AND VEHICLE RECORDS FROM PUBLIC DISCLOSURE.

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

SECTION 1. Arkansas Code § 27-14-412(a) and (b), concerning records of the Office of Motor Vehicle, are amended to read as follows:

27-14-412. Records.

~~(a)(1)(A) All records of the Office of Motor Vehicle, other than those declared by law to be confidential for the use of the Office of Motor Vehicle, shall be open to public inspection during office hours~~ The Secretary of the Department of Finance and Administration and officers of the Office of Motor Vehicle designated by the secretary may prepare under the seal of the office a:

(i) Certified copy of a motor vehicle registration record maintained by the office; or

(ii) Noncertified electronic copy of a motor vehicle registration record maintained by the Office of Motor Vehicle

(B) A copy of a motor vehicle registration record under



subdivision (a)(1)(A) of this section may be delivered to:

- (i) The person who is a registered owner of the motor vehicle;
- (ii) A person who has been authorized in writing by the registered owner of the motor vehicle to obtain the motor vehicle registration record;
- (iii) A federal, state, or local court for use in connection with a civil, criminal, administrative, or arbitral proceeding, including without limitation use:
 - (a) In connection with the service of process;
 - (b) In connection with the execution or enforcement of a judgment or order; or
 - (c) Pursuant to an order of a federal, state, or local court;
- (iv) A duly licensed attorney at law in response to a subpoena properly issued in a federal, state, or local court action; or
- (v) A government agency or law enforcement agency for use in carrying out its function.

(2) The use of lists or other aggregations of compilations of motor vehicle registration information is restricted to safety recall notification programs involving motor vehicles and motor vehicle equipment, other federal and state agency programs, research and statistics involving motor vehicles in which individual identities are not published, disclosed, or for any other purpose authorized by the Driver's Privacy Protection Act of 1994, 18 U.S.C. § 2721 et seq., as it existed on January 1, ~~2015~~ 2025.

(3) Motor vehicle registration information shall not be sold, furnished, or used for solicitation purposes.

~~(b)(1) The Secretary of the Department of Finance and Administration and such officers of the Office of Motor Vehicle as the secretary may designate are authorized to prepare under the seal of the Office of Motor Vehicle and deliver upon request a certified copy of any record of the Office of Motor Vehicle or a noncertified electronic copy of any record of the Office of Motor Vehicle.~~

~~(2)(1)~~ A fee of one dollar (\$1.00) shall be charged for each certified record authenticated.

~~(3)(2)~~ Every certified copy shall be admissible in any

proceeding in any court in like manner as the original.

~~(4)(A)(3)(A)~~ A party requesting a noncertified electronic record shall execute a written agreement with the Department of Finance and Administration that includes the following provisions:

(i) An acknowledgment that the party requesting a record shall comply with all state and federal limits on the use of those records; and

(ii) An agreement that the party seeking to obtain records shall hold harmless and indemnify the department for any money damages, punitive damages, criminal fines, civil penalties, court costs, and attorney's fees awarded to any person or entity by any state or federal court or by the Arkansas State Claims Commission resulting from any disclosure by the party of motor vehicle information that is contrary to state or federal law.

(B) A fee of not less than twenty dollars and fifty cents (\$20.50) nor more than thirty dollars (\$30.00) per one thousand (1,000) records shall be charged for electronic records.

SECTION 2. Arkansas Code §§ 27-19-406 and 27-19-407 are repealed.

~~27-19-406. Operating record to be furnished.~~

~~(a) The Office of Driver Services shall, upon request, furnish any person a certified abstract of the operating record of any person subject to the provisions of this chapter, which shall include enumeration of any motor vehicle accidents in which the person has been involved and reference to any convictions of the person for violation of the motor vehicle laws as reported to the Office of Driver Services, and a record of any vehicles registered in the name of the person.~~

~~(b) The Office of Driver Services shall collect for each abstract the sum of fifty cents (50¢) for each page.~~

~~27-19-407. Public inspection of records.~~

~~All records of the Office of Driver Services shall be open to public inspection at any reasonable time.~~

SECTION 3. Arkansas Code § 27-50-906 is amended to read as follows:

27-50-906. Furnishing of abstracts - ~~Definition~~ Definitions.

(a) As used in this section:

(1) "Abstract" means a report of the driver's personal information and the driving status and history of a driver generated from the driver record maintained by the Office of Driver Services, including without limitation documents provided to the office by any federal, state, or local court, law enforcement agency, or government agency;

(2) "Driver confirmation record" means information in the office concerning the name, date of birth, and current address of the licensed driver; and

(3) "Personal information" means information that identifies an individual, including without limitation an individual's social security number, driver identification number, name, address, and telephone number.

~~(a)(1)(b)(1)~~ The Office of Driver Services may furnish an abstract or driver confirmation record of any driver's record to:

(A) The driver on whom the record has been compiled;

(B) ~~Any~~ A person who has been authorized in writing by the driver to obtain the driver's record;

(C) ~~Any court having jurisdiction over traffic offenses~~ A federal, state, or local court for use in connection with a civil, criminal, administrative, or arbitral proceeding, including without limitation use:

(i) In connection with the service of process;

(ii) In connection with the execution or enforcement of a judgment or order; or

(iii) Pursuant to an order of a federal, state, or local court;

(D) ~~Any law enforcement officer, who shall use the report only in the line of duty in enforcing the traffic laws of this state~~ A duly licensed attorney at law in response to a subpoena properly issued in a federal, state, or local court action;

(E) Employers of drivers, provided that the driver has given his or her written consent for the employer to obtain the driver's record;

(F) ~~Any~~ An insurer licensed to do business in Arkansas or its agents, employees, or contractors in connection with the driving record or driver confirmation record of an insured or applicant and all licensed drivers in the household of the insured or applicant; and

~~(G) A governmental department or agency upon a showing of reasonable cause as to why the driver's record should be issued to the governmental department or agency in order for the governmental department or agency to effectively carry out its statutory duties~~ A governmental agency or law enforcement agency for use in carrying out its functions.

(2)(A) A driver's license status report shall be available to rental car companies who otherwise meet the requirements of this section for receiving an abstract of a driver's record upon the payment of one dollar (\$1.00) for each license number checked. This fee shall be deposited to the State Treasury into the State Central Services Fund as a direct revenue to be used by the Revenue Division of the Department of Finance and Administration.

(B) The Information Network of Arkansas may charge an additional fee under the Information Network of Arkansas Act, § 25-27-101 et seq., for the service of transmitting this information electronically.

~~(b) For purposes of this section, "driver confirmation record" means information in the Office of Driver Services concerning the name, date of birth, and current address of the licensed driver.~~

(c)(1)(A) The fee for an insured's or applicant's driver confirmation record shall be ten cents (10¢) per record.

(B) This fee shall be deposited into the fund as a direct revenue to be used by the division.

(2) The network may charge an additional fee under the Information Network of Arkansas Act, § 25-27-101 et seq., for the service of transmitting this information electronically.

(d) A recipient of an abstract or driver confirmation record under this section may redisclose the information only for a use permitted under this section.

(e) The Secretary of the Department of Finance and Administration may promulgate rules and prescribe forms to implement this section.

SECTION 4. Arkansas Code § 27-50-907 is amended to read as follows:
27-50-907. Availability of recorded information.

(a) All information concerning a driver's record shall be made available to the driver or his or her legal representative.

(b)(1) Information such as medical reports or other personal information shall not be a part of any written report the Office of Driver

Services may provide, nor shall the Office of Driver Services allow any person to copy or reproduce such records.

(2) Information in the central drivers' records file concerning the name, age, and current address of all drivers over the age of sixteen (16) years and under the age of twenty-six (26) years shall be made available to the Arkansas military recruiting coordinators for any of the United States Armed Forces for distribution to their branch offices. The information shall be available upon request of the military recruiting coordinators and may be requested and updated up to two (2) times during any calendar year.

~~(c)(1) No~~ The office may provide a digital driver's license photograph shall be disclosed to any individual or organization, except upon the written request for disclosure to a named individual or to a party by the person whose photograph is on the driver's license:

(A)(i) To an individual or organization upon the written request for disclosure by the person whose photograph is on the driver's license.

(ii) A written request under subdivision (c)(1)(A)(i) of this section shall name the individual or organization to whom the digital driver's license photograph shall be provided;

(B) When disclosure of the digital driver's license photograph is compelled by a court order or valid subpoena issued by a federal, state or local court; or

(C) Upon the request of a federal, state, or local law enforcement agency for use in carrying out its functions.

(2) A fee of five dollars (\$5.00) shall be charged for each digital driver's license photograph provided by the ~~Office of Driver Services~~ office under subdivision (c)(1)(A) of this section.

(d) The Secretary of the Department of Finance and Administration may promulgate rules and prescribe forms to implement this section.

APPROVED: 4/14/25