

Department of Finance and Administration

Legislative Impact Statement

Bill: HB1244

Amendment Number: S1

Bill Subtitle: TO AMEND THE LAW CONCERNING THE ISSUANCE OF AND APPLICATION FOR A DIGITIZED DRIVER'S LICENSE.

Basic Change :

Sponsors: Reps. Achor, Pilkington, Hawk and Sen. J. Boyd

Senate Amendment No. 1 --- HB1244-S1 (engrossed S2/28/23) amends the effective date of HB1244 to provide that only Sections 2, 3, and 4 are effective on and after February 1, 2025. The effect of the amendment is to make clear that under current law an operator of a motor vehicle is required to carry their physical driver's license and display it on demand.

Original Bill (engrossed H2/20/23) --- § 27-16-801 currently authorizes the Office of Driver Services to offer a person with a valid Arkansas driver's license the ability to display a digital copy of his or her license on a mobile device as a supplement to their physical copy of the license. DFA has not yet implemented this technology.

HB1244 (engrossed H2/20/23) requires the Office of Driver Services of DFA (DFA) to offer an applicant with a valid Arkansas driver's license the additional option to access a "digitized" or mobile driver's license (mDL) upon payment of \$10. The \$10 fee is in addition to any other fees charged for the issuance of an Arkansas driver's license. The option is available after the effective date of the act and at the time of each renewal. The "digitized driver's license" or mDL is defined as a data file:

- Available on a mobile device which has connectivity to the internet through an application that allows the mobile device to download the data file from the Office of Driver Services or its authorized representative;
- Containing all of the same data elements visible on the face and back of the driver's license; and
- Displays the current status of the driver's license.

HB1244 amends § 27-16-601 to provide that an operator of a motor vehicle is required to carry their physical driver's license and display it on demand.

HB1244 permits but does not require a public or private entity to accept an mDL. If a law enforcement officer accepts an mDL, HB1244 provides that the display of an mDL does not serve as consent for a law enforcement officer or other person to search, view, or access anything on the mobile device, and that the law enforcement officer must promptly return the mobile device after verification of the mDL. HB1244 additionally provides that any law that requires the surrender of a driver's license to a law enforcement officer does not apply to the mobile device used to display an mDL.

HB1244 will be effective on and after February 1, 2025.

Revenue Impact :

An optional \$10.00 fee would be collected for a licensee to display a digitized version of his or license. It is unknown the cost to DFA to implement this technology.

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Taxpayer Impact :

Upon implementation of the necessary technology, a person that has been issued a driver's license that is currently valid and unexpired will have the option to display a digitized version of his or license upon payment of a \$10 fee.

Resources Required :

Programming changes would be required, and a mobile application created.

Time Required :

Adequate time is provided for implementation.

Procedural Changes :

Office of Driver Services and State Revenue Office staff will need to be trained and information provided to licensees once the mDL option is available.

Other Comments :

None.

Legal Analysis :

None.