

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

1 State of Arkansas
2 85th General Assembly
3 Regular Session, 2005
4

As Engrossed: H1/14/05 H1/21/05

A Bill

HOUSE BILL 1077

5 By: Representative Jackson
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For An Act To Be Entitled

9 AN ACT TO ALLOW A PRIVATE DRIVER TRAINING
10 FACILITY OR OTHER FACILITY TO ADMINISTER THE
11 SKILLS TEST REQUIRED TO OBTAIN A COMMERCIAL
12 DRIVER LICENSE; AND FOR OTHER PURPOSES.
13

Subtitle

15 AN ACT TO ALLOW A PRIVATE DRIVER
16 TRAINING FACILITY OR OTHER FACILITY TO
17 ADMINISTER THE SKILLS TEST REQUIRED TO
18 OBTAIN A COMMERCIAL DRIVER LICENSE.
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21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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23 SECTION 1. Arkansas Code § 27-23-108(a)(2), concerning commercial
24 driver license qualification standards, is amended to read as follows:

25 (2) The Department of Arkansas State Police shall, by
26 regulations, authorize a person, including an agency of this state, an
27 employer, a private driver training facility, other private institution, or a
28 department, agency, or instrumentality of local government, to administer the
29 skills test specified by this section. These third party testing regulations
30 shall provide as a minimum that:

31 (i) The test is the same which would otherwise be
32 administered by the state;

33 (ii) The third party shall enter into an agreement
34 with the state which complies with requirements of 49 C.F.R., part 383.75;

35 (iii) The Department of Arkansas State Police shall
36 designate and provide to any third party testers the evidence to be used to



1 indicate to the state licensing agency that an applicant had successfully
2 passed the skills test;

3 (iv) The eligibility to become a third party tester
4 shall be open to qualified persons under the regulations at least twice
5 annually; and

6 (v) The third party tester shall pay a third party
7 testing administration fee as may be determined by the Director of the
8 Department of Arkansas State Police to recover the costs of administering the
9 testing program and examination distribution expenses.

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11 *SECTION 2. Arkansas Code § 27-23-114(h)(2), concerning commercial motor
12 vehicle driving offenses and penalties, is amended to read as follows:*

13 (2)(A) *A person who violates this subsection (h) is guilty of a
14 ~~Class A misdemeanor~~ an unclassified offense and may be fined an amount not to
15 exceed five thousand dollars (\$5,000) or imprisoned up to a year in jail, or
16 both.*

17 (B) *Any fine collected under this subsection shall be*
18 *remitted to the Administration of Justice Funds Section in the Department of*
19 *Finance and Administration for deposit into the Department of Arkansas State*
20 *Police Fund.*

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22 /s/ Jackson
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