

Stricken language would be deleted from and underlined language would be added to present law.

State of Arkansas
90th General Assembly
Regular Session, 2015

As Engrossed: H3/17/15 H3/27/15

A Bill

HOUSE BILL 1878

By: Representative Hammer

By: Senator Hickey

For An Act To Be Entitled

*AN ACT TO AMEND THE LAW CONCERNING DRIVER'S LICENSE
REINSTATEMENT FEES; AND FOR OTHER PURPOSES.*

Subtitle

*AN ACT TO AMEND THE LAW CONCERNING
DRIVER'S LICENSE REINSTATEMENT FEES.*

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

SECTION 1. Arkansas Code § 27-16-508(a), concerning fees for reinstatement of driving privileges, is amended to read as follows:

(a)(1) The Office of Driver Services shall collect a reinstatement fee of one hundred dollars (\$100), to be multiplied by the number of administrative orders to suspend, revoke, or cancel a driver's license, other than orders eligible for reinstatement under § 5-65-119, § 5-65-304, § 5-65-310, or § 27-16-808 and other than orders entered under § 27-16-909.

(2)(A) If a person's driving privileges are suspended or revoked solely as a result of outstanding driver's license reinstatement fees imposed under the laws of this state, the office shall collect only one (1) reinstatement fee of one hundred dollars (\$100) to cover all administrative orders to suspend, revoke, or cancel a driver's license for a person ordered to pay a reinstatement fee under § 27-16-808(c)(1)(A) or subdivision (a)(1) of this section that were in existence on or before the effective date of this act if a district court or circuit court verifies to the office that the person has:

(i) Paid all other court costs, fines, and fees



associated with the criminal offense that led to his or her driver's license suspension; and

(ii) Successfully completed one (1) of the following:

(a) A court-ordered diversion program;

(b) A drug court program;

(c) A diversion program for veterans;

(d) A preadjudication probation; or

(e) Any other court-ordered program designed

to rehabilitate the person.

(B) Subdivision (a)(2)(A) of this section does not apply to:

(i) A reinstatement fee ordered under:

(a) Section 5-65-119;

(b) Section 5-65-304; or

(c) Section 5-65-310; or

(ii) A fee ordered to reinstate commercial driving privileges.

(3) A district court or circuit court that operates one (1) of the court programs listed under subdivision (a)(2)(A)(ii) of this section shall notify the Department of Finance and Administration when a person eligible to have his or her reinstatement fees reduced under this subsection completes the court program.

SECTION 2. Arkansas Code § 27-16-808(c), concerning fees for reinstatement of driving privileges, is amended to read as follows:

(c)(1)~~(A)~~ The reinstatement fee under this section shall be calculated by multiplying one hundred dollars (\$100) by each separate occurrence of offenses under any other provision of the law resulting in:

~~(A)(i)~~ A court order directing the office to suspend the driving privileges of the person; or

~~(B)(ii)~~ The office's entering a suspension order.

~~(2)(B)~~ The fee under this section is supplemental to and in addition to any fee imposed under § 5-65-119, § 5-65-304, § 5-65-310, or § 27-16-508.

~~(3)(C)~~ As used in this section, "occurrence" means each separate calendar date when an offense or offenses take place.

(2) If a person's driving privileges are suspended or revoked solely as a result of outstanding driver's license reinstatement fees imposed under the laws of this state, the office shall collect only one (1) reinstatement fee of one hundred dollars (\$100) to cover all administrative orders to suspend, revoke, or cancel a driver's license for a person ordered to pay a reinstatement fee under § 27-16-508(a)(1) or subdivision (c)(1) of this section that were in existence on or before the effective date of this act if a district court or circuit court verifies to the office that the person has:

(A) Paid all other court costs, fines, and fees associated with the criminal offense that led to his or her driver's license suspension; and

(B) Successfully completed one (1) of the following:

(i) A court-ordered diversion program;

(ii) A drug court program;

(iii) A diversion program for veterans;

(iv) A preadjudication probation; or

(v) Any other court-ordered program designed to rehabilitate the person.

(3) Subdivision (c)(2) of this section does not apply to:

(A) A reinstatement fee ordered under:

(i) Section 5-65-119;

(ii) Section 5-65-304; or

(iii) Section 5-65-310; or

(B) A fee ordered to reinstate commercial driving privileges.

(4) A district court or circuit court that operates one (1) of the court programs listed under subdivision (c)(2)(B) of this section shall notify the Department of Finance and Administration when a person eligible to have his or her reinstatement fees reduced under this subsection completes the court program.

SECTION 3. DO NOT CODIFY. EFFECTIVE DATES.

This act is effective on and after January 1, 2016, and until June 30,

2016.

SECTION 4. DO NOT CODIFY. Report required.

(a) The Department of Finance and Administration shall prepare a report concerning this act that includes the following information:

(1) The number of eligible participants;

(2) The number of participants who were reinstated under this act; and

(3) The dollar amount paid and the dollar amount written off during the time the act is effective.

(b) The department shall submit the report under subsection (a) of this section to the Legislative Council and the Director of the Department of Arkansas State Police by October 1, 2016.

/s/Hammer