

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

State of Arkansas *As Engrossed: S1/29/15 S3/19/15 H3/25/15*
90th General Assembly **A Bill**
Regular Session, 2015

SENATE BILL 49

By: Senators Irvin, G. Stubblefield, Collins-Smith, B. Johnson, Flippo, D. Sanders
By: Representative Sturch

For An Act To Be Entitled

*AN ACT TO ENACT THE ARKANSAS TEEN DRIVER AND PARENTAL
EDUCATION ACT OF 2015; TO REGULATE DRIVERS LICENSING;
TO IMPROVE DRIVERS LICENSING PRACTICES AND
PROCEDURES; AND FOR OTHER PURPOSES.*

Subtitle

*TO ENACT THE ARKANSAS TEEN DRIVER AND
PARENTAL EDUCATION ACT OF 2015.*

*WHEREAS, injuries caused by motor vehicle accidents are the leading
cause of death for children and adolescents in the United States and in
Arkansas. Motor vehicle crashes rank first for injury-related deaths and
disability, particularly for teenagers between fourteen (14) and nineteen
(19) years of age, accounting for one-third (1/3) of teen deaths; and*

*WHEREAS, the risk of motor vehicle accidents is highest when
adolescents are learning to drive and within the first year after licensing.
Adolescents represent the highest risk age group on the roads. Drivers
sixteen (16) years of age are four (4) times more likely to be involved in a
motor vehicle accident than drivers between the ages of twenty (20) and
twenty-four (24); and*

*WHEREAS, Arkansas has historically had much higher rates of teen
driving crashes and fatalities than other states. As recently as 2008,
Arkansas teens were dying at two (2) times the national average; and*



WHEREAS, motor vehicle death rates recently have decreased nationally and more dramatically in Arkansas, with a reduction of more than fifty percent (50%) in the past six (6) years; and

WHEREAS, recent research has led to an improved understanding of the factors that make learning to drive and novice driving safer, including a three phase approach: the learner stage with supervised driving, the intermediate stage permitting solo driving with restrictions on high-risk situations, followed by granting a full license without driving restrictions; and

WHEREAS, new research that focuses on supervised driver experience during the learner's period demonstrates the importance of having a licensed driver as a coach during the first twelve (12) months of driving experience while learning to negotiate the many demands of driving safely, reducing the likelihood of deaths and insurance claims for drivers sixteen (16) years of age by as much as twenty-six percent (26%); and

WHEREAS, statistical research offered by the Arkansas Center for Health Improvement, in coordination with the Injury Prevention Center at Arkansas Children's Hospital, demonstrates that parental involvement, teen driver education, and enforcement of the principles of the graduated drivers licenses contained in Arkansas Code § 27-16-701, et seq., and Arkansas Code § 27-16-801, et seq., have reduced the loss of life and injuries to teen drivers; and

WHEREAS, a demonstrated need exists for more parental education about the mechanics and procedures contained in the graduated drivers license laws to help Arkansas families procure drivers licenses for their teenagers; and

WHEREAS, in rural Arkansas limited opportunities exist for teens to apply, take the written driving test, and take the drivers' skills test necessary to procure a drivers license; and

WHEREAS, it is in the best interest of Arkansas's families to

streamline the process to reduce time away from work for parents; and

WHEREAS the Department of Arkansas State Police is the lead governmental agency in testing for drivers licenses and providing information about obtaining drivers licenses; and

WHEREAS, the Department of Arkansas State Police is promulgating rules and conducting training to make drivers license testing consistent across the state; and

WHEREAS, the Department of Arkansas State Police is taking steps to proliferate vital information about drivers education and licensing procedures; and

WHEREAS, the Department of Finance and Administration dispenses the drivers' licenses after all prerequisites have been complied with by prospective teen drivers and their families through the Department of Arkansas State Police,

NOW THEREFORE,

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

SECTION 1. DO NOT CODIFY. Title.

This act shall be known and may be cited as the "Arkansas Teen Driver and Parental Education Act of 2015".

SECTION 2. DO NOT CODIFY. Duties of Department of Arkansas State Police.

The Department of Arkansas State Police shall:

(1) Improve its official website in coordination with the Injury Prevention Center at Arkansas Children's Hospital to:

(A) Become the repository of information regarding the mechanics and procedures for obtaining graduated drivers licenses; and

(B) Include without limitation:

(i) A parental checklist of steps needed to obtain a graduated drivers license;

(ii) Specific information about documents needed

to make application for a graduated drivers license; and

(iii) Specific information regarding the times for the written driving tests and the driving skills tests in each county of the state;

(2) In coordination with the Injury Prevention Center at Arkansas Children's Hospital, distribute information electronically, virtually, and through literature about the graduated drivers license application and procedures to:

(A) Secondary schools throughout the state; and

(B) Parents of prospective drivers;

(3) Update the drivers manual in coordination with the Injury Prevention Center at Arkansas Children's Hospital; and

(4)(A) File a report with the cochairs of the Legislative Council and the Director of the Bureau of Legislative Research within one hundred eighty (180) days of the effective date of this act.

(B) The report shall include:

(i) A detailed description of all steps taken to comply with this section; and

(ii) Recommendations to improve drivers licensing practices and procedures, driver education, and driver safety in this state.

SECTION 3. Arkansas Code § 27-16-604(a)(11), concerning the requirement that a person between sixteen (16) and eighteen (18) years of age first obtain a restricted driver's license before being eligible to obtain a driver's license, is amended to read as follows:

(11) Who is a noncommercial driver between sixteen (16) and eighteen (18) years of age who has not possessed a restricted license, an instruction permit, or a combination of both a restricted license and an instruction permit for at least six (6) months;

SECTION 4. Arkansas Code § 27-16-802(a), concerning instruction permits for drivers who are at least fourteen (14) years of age, is amended to read as follows:

(a)(1) Any person who is at least fourteen (14) years of age may apply

to the ~~Office of Driver Services~~ Department of Arkansas State Police for an instruction permit.

(2)(A) After the applicant has successfully passed all parts of the examination other than the driving test, the ~~office~~ department may, in its discretion, issue to the applicant an instruction permit which shall entitle the applicant while having the permit in his or her immediate possession to drive a motor vehicle upon the public highways for a period of ~~six (6) months~~ twelve (12) months when accompanied by a licensed driver who is at least twenty-one (21) years of age and who is occupying a seat beside the driver, except in the event that the permittee is operating a motorcycle.

(B) Six (6) months after an instruction permit is issued under subdivision (a)(2)(A) of this section, a driver who is at least sixteen (16) years of age and has passed all parts of the written examination and the driving test is no longer subject to the driving restrictions under subdivision (a)(2)(A) of this section.

~~(3) Any instruction permit may be renewed or a new permit issued for an additional period of six (6) months as long as the permittee has remained free of a serious accident and conviction of a serious traffic violation for at least the previous six (6) months.~~

~~(4) Any passengers riding in the motor vehicle while a permittee is driving shall wear seat belts at all times.~~

SECTION 5. Arkansas Code § 27-16-802(b)(1), concerning the issuance of instruction permits, is amended to read as follows:

(b)(1) The ~~office~~ department, upon receiving proper application ~~may~~, in its discretion, may issue a restricted instruction permit effective for a school year or a more restricted permit to an applicant who is enrolled in a driver education program ~~which~~ that includes practice driving and ~~which~~ that is approved by the ~~office~~ department even though the applicant has not reached the legal age to be eligible for a noncommercial license.

/s/Irvin