

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

State of Arkansas  
91st General Assembly  
Regular Session, 2017

# A Bill

HOUSE BILL 1976

By: Representative Dotson

## For An Act To Be Entitled

AN ACT TO AMEND THE LAW CONCERNING THE SUSPENSION OR  
REVOCAION OF A DRIVER'S LICENSE FOR INABILITY TO  
DRIVE; AND FOR OTHER PURPOSES.

### Subtitle

TO AMEND THE LAW CONCERNING THE  
SUSPENSION OR REVOCATION OF A DRIVER'S  
LICENSE FOR INABILITY TO DRIVE.

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

SECTION 1. Arkansas Code § 27-16-909(a), concerning the suspension or revocation of a driver's license for a person's inability to drive, is amended to read as follows:

(a)(1) The Office of Driver Services, having good cause to believe that a licensed driver is incompetent or otherwise not qualified to be licensed, may, upon written notice of at least five (5) days to the licensee, require the licensee to submit to an initial evaluation by a hearing officer appointed by the Director of the Department of Finance and Administration in an office of the Revenue Division of the Department of Finance and Administration designated by the director.

(2) As used in this section, "good cause" means a justifiable reason to believe that a licensed driver is incompetent or not qualified to be licensed on the basis of a report submitted to the office, including without limitation by:

(A) A law enforcement officer;

(B) A medical care provider, including without limitation



a licensed:

- (i) Physician;
- (ii) Physical therapist;
- (iii) Occupational therapist;
- (iv) Chiropractor;
- (v) Optometrist;
- (vi) Psychologist; or
- (vii) Social worker;

(C) An immediate family member who is eighteen (18) years of age or older; or

(D) A court order.

~~(2)(A)~~(3)(A) Upon the conclusion of the initial evaluation, the hearing officer shall determine:

(i) That the initial evaluation does not support the suspension or revocation of the license and that the license shall remain in effect; or

(ii) That the driver must submit to a medical evaluation, a driving skills evaluation, or both a medical evaluation and a driving skills evaluation.

(B) If the hearing officer determines that the driver must submit to a medical evaluation, driving skills evaluation, or both a medical evaluation and a driving skills evaluation, the driver shall provide proof of completion of the evaluation or evaluations to the hearing officer within thirty (30) days of the initial evaluation.

(C) Refusal or neglect of the licensee to submit to, and provide proof of completion of, an evaluation required under this section is grounds for suspension or revocation of the licensee's license.

SECTION 2. Arkansas Code § 27-16-909, concerning the suspension or revocation of a driver's license for a person's inability to drive, is amended to add an additional subsection to read as follows:

(f) A person who in good faith files a report under subsection (a) of this section is immune from civil and criminal liability for reporting the licensed driver to the office.