

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

State of Arkansas
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As Engrossed: H3/19/25 S4/1/25

A Bill

HOUSE BILL 1745

By: Representatives Hawk, Brooks, Joey Carr, Eaves, Evans, Hall, Holcomb, Milligan, Nazarenko,
Painter, Pilkington, Schulz, Vaught, *Henley*

By: Senators K. Hammer, J. Boyd, J. Bryant, Dees, Gilmore

For An Act To Be Entitled

AN ACT TO REQUIRE CERTAIN COMMERCIAL DRIVER LICENSE
HOLDERS TO POSSESS A UNITED STATES WORK AUTHORIZATION
TO OPERATE A COMMERCIAL MOTOR VEHICLE IN THE STATE;
*TO REQUIRE AN OPERATOR OF A COMMERCIAL MOTOR VEHICLE
TO HAVE PROFICIENCY IN THE ENGLISH LANGUAGE;* TO
CREATE THE OFFENSE OF PRESENTING A FALSE FOREIGN
COMMERCIAL DRIVER LICENSE; AND FOR OTHER PURPOSES.

Subtitle

*TO REQUIRE CERTAIN COMMERCIAL DRIVER
LICENSE HOLDERS TO POSSESS A UNITED
STATES WORK AUTHORIZATION; TO REQUIRE
THE OPERATOR OF A COMMERCIAL MOTOR
VEHICLE TO HAVE ENGLISH PROFICIENCY; AND
TO CREATE RELATED OFFENSES.*

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

SECTION 1. Arkansas Code Title 27, Chapter 23, is amended to add an
additional subchapter to read as follows:

Subchapter 3 – Offenses and Penalties

27-23-301. Definitions.

As used in this subchapter:

(1) "Employment Authorization Document" means a federal Form I-
766 United States Citizenship and Immigration Services-issued Employment



Authorization Document, known popularly as a "work permit"; and

(2) "Public record" includes:

(A) All official books, papers, exhibits, or records of any type required by law to be created by or received and retained in a governmental office or agency, affording notice or information to the public or constituting a memorial of an act or transaction of a public office or public servant; and

(B) A license, certificate, permit, seal, title, letter of patent, or similar document issued by a state, territory, or possession of the United States, the District of Columbia, or the Commonwealth of Puerto Rico or a foreign government engaged in a reciprocal treaty or memorandum of understanding with the United States.

27-23-302. Presenting false foreign commercial driver license.

(a) A person commits the offense of presenting a false foreign commercial driver license if he or she knowingly:

(1) Makes, presents, or uses a public record with knowledge of the falsity of the public record and with the intent that the public record be taken as a genuine public record; and

(2) Represents that a false public record made, presented, or used under subdivision (a)(1) of this section is a valid commercial driver license issued by a foreign government.

(b) Presenting a false foreign commercial driver license is a Class D felony.

27-23-303. Operating commercial vehicle without proper documentation.

(a) A person commits the offense of operating a commercial motor vehicle without proper documentation if he or she knowingly:

(1) Holds a valid commercial driver license issued by a foreign government; and

(2) Does not have an Employment Authorization Document or a valid work visa in his or her immediate possession while operating a commercial motor vehicle.

(b)(1) Except as provided in subdivision (b)(2) of this section, operating a commercial motor vehicle without proper documentation is a Class D felony.

(2) Operating a commercial vehicle without proper documentation is a Class A misdemeanor if the person establishes by a preponderance of the evidence that at the time the offense was committed, he or she had been issued a valid Employment Authorization Document or a valid work visa.

27-23-304. Operating a commercial motor vehicle without sufficient English Language proficiency.

(a) An operator of a commercial motor vehicle shall be able to read and speak the English language sufficiently to:

(1) Converse with the general public;

(2) Understand highway traffic signs and signals in the English language;

(3) Respond to official inquiries; and

(4) Make entries on reports and records.

(b) A person commits the offense of operating a commercial motor vehicle without sufficient English language proficiency if he or she:

(1) Operates a commercial vehicle; and

(2) Fails to demonstrate proficiency in the English language as required under subsection (a) of this section.

(c) The offense of operating a commercial motor vehicle without sufficient English language proficiency is a violation and is subject to a fine of up to:

(1) Five hundred dollars (\$500) for the first offense; and

(2) One thousand dollars (\$1,000) for the second or subsequent offense.

SECTION 2. Arkansas Code § 27-23-123 is amended to read as follows:

27-23-123. Reciprocity.

Notwithstanding any law to the contrary, a person may drive a commercial motor vehicle if the person: ~~has a~~

(1) Has:

(A) A commercial driver license or commercial learner's permit issued by any state or province or territory of Canada, a state, territory, or possession of the United States, the District of Columbia, or the Commonwealth of Puerto Rico in accordance with the minimum federal standards for the issuance of commercial motor vehicle driver licenses, ~~if~~

~~the person is; or~~

(B) Both a:

(i) Commercial driver license issued by Canada, Mexico, or any other jurisdiction under a waiver or exemption recognized by the Federal Motor Carrier Safety Administration; and

(ii) Valid work visa or valid Employment Authorization Document, as defined in § 27-23-301; and

(2) Is not suspended, revoked, cancelled, or disqualified from driving a commercial motor vehicle, or subject to an out-of-service order.

/s/Hawk