

1 State of Arkansas
2 91st General Assembly
3 Regular Session, 2017
4

A Bill

HOUSE BILL 1976

5 By: Representative Dotson
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For An Act To Be Entitled

8 AN ACT TO AMEND THE LAW CONCERNING THE SUSPENSION OR
9 REVOCATION OF A DRIVER'S LICENSE FOR INABILITY TO
10 DRIVE; AND FOR OTHER PURPOSES.
11

Subtitle

12 TO AMEND THE LAW CONCERNING THE
13 SUSPENSION OR REVOCATION OF A DRIVER'S
14 LICENSE FOR INABILITY TO DRIVE.
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19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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21 SECTION 1. Arkansas Code § 27-16-909(a), concerning the suspension or
22 revocation of a driver's license for a person's inability to drive, is
23 amended to read as follows:

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

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

35 (A) A law enforcement officer;

36 (B) A medical care provider, including without limitation



1 a licensed:

2 (i) Physician;

3 (ii) Physical therapist;

4 (iii) Occupational therapist;

5 (iv) Chiropractor;

6 (v) Optometrist;

7 (vi) Psychologist; or

8 (vii) Social worker;

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

11 (D) A court order.

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

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

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

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

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

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

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