

1 State of Arkansas
2 88th General Assembly
3 Regular Session, 2011

A Bill

HOUSE BILL 1410

4
5 By: Representative Summers

For An Act To Be Entitled

8 AN ACT TO ALLOW PENALTIES FOR FRAUD IN DRIVER'S
9 LICENSE TESTING; AND FOR OTHER PURPOSES.

Subtitle

12 TO ALLOW PENALTIES FOR FRAUD IN DRIVER'S
14 LICENSE TESTING.

16
17 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

18
19 SECTION 1. Arkansas Code Title 27, Chapter 16, Subchapter 7 is amended
20 to add an additional section to read as follows:

21 27-16-707. Driver's license or instruction permit examination fraud -
22 Penalty.

23 (a) A person commits the offense of driver's license or instruction
24 permit examination fraud if during any written or electronic examination
25 process for an instruction permit or driver's license the person taking the
26 test:

27 (1) Possesses or uses the written or electronic answers to the
28 examination during the examination process;

29 (2) Uses any electronic communication device to communicate with
30 any person;

31 (3) Writes down questions contained on the examination during
32 the examination process; or

33 (4) Uses any electronic device to record, capture, or transmit
34 any portion of the examination during the examination process.

35 (b)(1) A person who is found by the Department of Arkansas State
36 Police to have committed driver's license or instruction permit examination



1 fraud for the first time shall be administratively barred from taking the
 2 driver's license and instruction permit examination for a period of forty-
 3 five (45) days.

4 (2) A person who is found by the Department of Arkansas State
 5 Police to have committed driver's license or instruction permit examination
 6 fraud for a second time within one (1) year of the previous offense shall be
 7 administratively barred from taking the driver's license and instruction
 8 permit examination for a period of three (3) months.

9 (3) A person who is found by the Department of Arkansas State
 10 Police to have committed driver's license or instruction permit examination
 11 fraud for a third time within one year of previous offenses shall be
 12 administratively barred from taking the driver's license and instruction
 13 permit examination for a period of six (6) months.

14 (4) A person who is found by the Department of Arkansas State
 15 Police to have committed driver's license or instruction permit examination
 16 fraud for a fourth or subsequent time within one (1) year of the previous
 17 offense shall be administratively barred from taking the driver's license and
 18 instruction permit examination for a period of twelve (12) months.

19 (c)(1) The Department of Arkansas State Police shall maintain records
 20 of violations of this section.

21 (2) The records shall be used to determine repeat violations of
 22 this section.

23
 24 SECTION 2. Arkansas Code § 27-16-701(b), regarding the driver's
 25 license application, is amended to read as follows:

26 (b) Every application shall:

27 (1) State the full name, date of birth, sex, and residence
 28 address of the applicant;

29 (2) Briefly describe the applicant; ~~and~~

30 (3) State whether the applicant has ~~theretofore~~ previously been
 31 licensed as a driver and, if so, when and by what state or country, whether
 32 any such license has ever been suspended or revoked, or whether an
 33 application has ever been refused, and, if so, the date of and reason for
 34 suspension, revocation, or refusal; and

35 (4) State whether the driver has ever been administratively
 36 barred from taking a driver's license or instruction permit examination.