



STEVE CLARK  
ATTORNEY GENERAL

STATE OF ARKANSAS  
OFFICE OF THE ATTORNEY GENERAL  
JUSTICE BUILDING, LITTLE ROCK 72201

(501) 371-2007

March 5, 1985

OPINION NO. 85-66

Honorable J. Sturgis Miller  
State Representative  
House of Representatives  
State Capitol  
Little Rock, Arkansas 72201

Dear Representative Miller:

This is in response to your inquiry whereby you submitted the following:

When a person's drivers license has been suspended or revoked after a conviction of driving while intoxicated, during the time of suspension, does that person have a legal right to operate any type of motor vehicle, including motorcycles and motor-driven cycles?

A person would have a legal right to operate a motor-driven cycle or motorized bicycle on the condition that the operation of such vehicle is not in violation of local ordinances or state laws which prohibit the operation of such vehicles on certain roadways.

Act 549 of 1983 suspends or revokes a person's motor vehicle operator's license upon conviction of a violation of the Act. However, due to Act 819 of 1979, which repealed Section 4 of Act 201 of 1959, the suspension or revocation would have no effect on the operation of a motor-driven cycle or motorized bicycle, provided that the motor does not produce in excess of "five and one-half (5 1/2) brake horsepower, because an operator's license is not required to operate such vehicles.

The foregoing opinion, which I hereby approve, was prepared by Assistant Attorney General Kent Jolliff.

Sincerely,

A handwritten signature in dark ink, appearing to read "Steve Clark", written over the typed name.

STEVE CLARK  
Attorney General

SC:pas