

Stricken language would be deleted from and underlined language would be added to present law.  
Act 1176 of the Regular Session

State of Arkansas  
89th General Assembly  
Regular Session, 2013

As Engrossed: S3/20/13  
**A Bill**

SENATE BILL 1023

By: Senator K. Ingram

### For An Act To Be Entitled

AN ACT TO MAKE ARKANSAS HIGHWAYS SAFER BY PROVIDING  
FOR THE COMMERCIAL TRUCK SAFETY AND EDUCATION FUND;  
TO PROVIDE SPECIAL REVENUES FOR THE FUND; AND FOR  
OTHER PURPOSES.

### Subtitle

TO ESTABLISH THE COMMERCIAL TRUCK SAFETY  
AND EDUCATION FUND; AND TO PROVIDE  
SPECIAL REVENUES FOR THE FUND.

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

SECTION 1. DO NOT CODIFY. Legislative findings and intent.

The General Assembly finds that:

(1) There are no programs jointly involving the trucking industry and the Arkansas State Highway and Transportation Department to ensure improved commercial truck safety on state highways. Furthermore, no studies exist on ways to improve the efficiencies of freight movement that could improve highway safety;

(2) Dedicating funding for these purposes could enable the industry and state government to create such programs. Additionally, the industry and the department could benefit from research specific to freight movement, regulatory compliance, education, and training; and

(3) The purpose of this act is to advance state interests in roadway safety by proposing to improve the safety of the commercial truck industry through cooperative public private programs that focus on increased enforcement, regulatory compliance, industry training, and educational



programs to ensure the safe movement of goods on Arkansas highways.

SECTION 2. Arkansas Code Title 19, Chapter 6, Subchapter 8, is amended to add an additional section to read as follows:

19-6-819. Commercial Truck Safety and Education Fund.

(a) There is created on the books of the Treasurer of State, Auditor of State, and Chief Fiscal Officer of the State, a special revenue fund to be known as the "Commercial Truck Safety and Education Fund".

(b)(1) Beginning October 1, 2013, the first two million dollars (\$2,000,000) of the fee charged under § 27-14-601(a)(3)(G)(ii) for the fiscal year ending June 30, 2014, shall be deposited into the State Treasury to the credit of the fund as special revenues.

(2) Beginning July 1, 2014, the first two million dollars (\$2,000,000) per fiscal year of the fee charged under § 27-14-601(a)(3)(G)(ii) shall be deposited into the State Treasury to the credit of the fund as special revenues.

(3) The fund shall also consist of any other revenues as may be authorized by law.

(c) The fund shall be used by the Arkansas State Highway and Transportation Department to improve the safety of the commercial truck industry through cooperative public private programs that focus on increased enforcement, regulatory compliance, industry training, and educational programs to ensure the safe movement of goods on state highways.

SECTION 3. Arkansas Code § 27-14-601(a)(3)(G)(ii), concerning fees for registration and licensing of motor vehicles, is amended to read as follows:

(ii)(a) On all such vehicles with a gross loaded weight between seventy-three thousand, two hundred eighty-one pounds (73,281 lbs.) and eighty thousand pounds (80,000 lbs.), the fee to be charged shall be one thousand three hundred fifty dollars (\$1,350)†.

(b) In addition to the fee set forth in subdivision (a)(3)(G)(ii)(a) of this section and on all vehicles registered with the International Registration Plan to be engaged in interstate commerce with a gross loaded weight between seventy-three thousand, two hundred eighty-one pounds (73,281 lbs.) and eighty thousand pounds (80,000 lbs.), an additional fee to be fifteen percent (15%) of the amount charged in

subdivision (a)(3)(G)(ii)(a) of this section;

SECTION 4. Arkansas Code § 27-14-601(d), concerning fees for registration and licensing of motor vehicles, is amended to read as follows:

(d)(1) All taxes, fees, penalties, interest, and other amounts collected under the provisions of this section, ~~with the exception of that portion of the fee declared to be a permit fee and collected pursuant to subdivision (a)(3)(H)(ii)(f) of this section~~ except those set forth in subdivision (d)(3) of this section, shall be classified as special revenues and shall be deposited in the State Treasury. After deducting the amount to be credited to the Constitutional Officers Fund and the State Central Services Fund as provided under the Revenue Stabilization Law, § 19-5-101 et seq., the Treasurer of State shall transfer on the last business day of each month:

(A) Fifteen percent (15%) of the amount thereof to the County Aid Fund;

(B) Fifteen percent (15%) of the amount thereof to the Municipal Aid Fund; and

(C) Seventy percent (70%) of the amount thereof to the State Highway and Transportation Department Fund.

(2) The funds shall be further disbursed in the same manner and used for the same purposes as set out in the Arkansas Highway Revenue Distribution Law, § 27-70-201 et seq.

(3)(A) The following shall be excepted from the requirements of subdivision (d)(1) of this section:

(i) Beginning October 1, 2013, the first two million dollars (\$2,000,000) of the fee charged under subdivision (a)(3)(G)(ii) of this section for the fiscal year ending June 30, 2014;

(ii) Beginning July 1, 2014, the first two million dollars (\$2,000,000) per fiscal year of the fee charged under subdivision (a)(3)(G)(ii) of this section; and

(iii) That portion of the fee declared to be a permit fee and collected under subdivision (a)(3)(H)(ii)(f) of this section.

(B)(i) Beginning October 1, 2013, the first two million dollars (\$2,000,000) of the fee charged under subdivision (a)(3)(G)(ii) of this section for the fiscal year ending June 30, 2014, shall be classified as

special revenues and shall be deposited in the State Treasury.

(ii) Beginning July 1, 2014, the first two million dollars (\$2,000,000) per fiscal year of the fee charged under subdivision (a)(3)(G)(ii) of this section shall be classified as special revenues and shall be deposited in the State Treasury.

(iii) The Treasurer of State shall transfer on the last business day of each month all money paid under this subdivision (d)(3)(B) to the Commercial Truck Safety and Education Fund to be used to improve the safety of the commercial trucking industry through cooperative public and private programs that focus on increased enforcement, regulatory compliance, industry training, and educational programs to ensure the safe movement of goods on state highways.

(4) That portion of the annual license fee collected pursuant to subdivision (a)(3)(H)(ii)(f) of this section declared to be a permit fee shall be classified as special revenues and shall be deposited in the State Treasury. The Treasurer of State shall transfer on the last business day of each month all of such portions of such annual license fees to the State Highway and Transportation Department Fund to be utilized for the construction, reconstruction, and maintenance of highways and bridges in the state highway system.

SECTION 5. EFFECTIVE DATE. This Act becomes effective on October 1, 2013.

/s/K. Ingram

**APPROVED: 04/12/2013**