

Stricken language would be deleted from and underlined language would be added to present law.
Act 650 of the Regular Session

State of Arkansas
91st General Assembly
Regular Session, 2017

As Engrossed: S3/8/17
A Bill

SENATE BILL 415

By: Senator Caldwell

For An Act To Be Entitled

AN ACT TO AMEND THE LAW CONCERNING THE ISSUANCE OF A
PERMIT FOR SPECIAL CARGO TRANSPORTED BY A FARM
MACHINERY EQUIPMENT DEALER; AND FOR OTHER PURPOSES.

Subtitle

TO AMEND THE LAW CONCERNING THE ISSUANCE
OF A PERMIT FOR SPECIAL CARGO TRANSPORTED
BY A FARM MACHINERY EQUIPMENT DEALER.

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

SECTION 1. Arkansas Code § 27-35-206 is amended to read as follows:
27-35-206. Width of vehicles.

(a)(1) Except as provided in § 27-35-210(p)(2), ~~No~~ a vehicle operated upon the highways of this state shall not have a total outside width, unladen or with load, in excess of one hundred two inches (102"), excluding certain safety devices as designated by the state, unless a greater width is authorized by special permit issued by competent authority as provided in § 27-35-210.

(2)(A) Provided, vehicles as defined in § 27-14-207 utilized to transport compacted seed cotton from the farm to the first point at which such seed cotton shall first undergo any processing, preparation for processing, or transformation from its compacted state may operate upon all highways of this state, with the exception of federal interstate highways, with widths not exceeding one hundred eight inches (108") without the special permit.

(B) However, the vehicles must be equipped and operated in



compliance with the traffic laws of this state as well as all safety rules and regulations of the Department of Transportation and the State Highway Commission.

(C) ~~Additionally, the~~ The vehicles utilized to transport compacted seed cotton with widths exceeding one hundred two inches (102"), but not exceeding one hundred eight inches (108"), ~~must~~ shall be equipped and operated with both front and rear bumpers if operated individually, or, if operated in combination with other vehicles, ~~must~~ shall be equipped with a front bumper on the vehicle furnishing the motive power and with a rear bumper on the rear vehicle operated in that combination.

(D)(i) ~~Furthermore, the~~ The vehicles, when operated individually, or in combination with other vehicles, on the roads, highways, or streets of this state ~~must~~ shall be equipped with a sign or placard on the front and on the rear of the vehicle when operated individually, or on the front of the vehicle furnishing the motive power and on the rear of ~~any~~ the vehicle operated in combination with the vehicle furnishing the motive power, when operated in combination, indicating that vehicle or combination of vehicles is slow-moving.

(ii) ~~Such~~ The signs or placards shall be of such a size, dimension, and color that it is readily apparent to the traveling public that the vehicle or combination is slow-moving and shall be in accordance with rules and regulations to be made and promulgated by the commission.

(b) Any person owning such a vehicle or combination of vehicles found operating ~~such~~ the a vehicle or combination on the highways, roads, or streets of this state without the required bumpers or without the required signs or placards shall be deemed guilty of a misdemeanor and, upon conviction, shall be fined ~~in~~ a sum of not less than three hundred dollars (\$300) and not more than three thousand dollars (\$3,000).

SECTION 2. Arkansas Code § 27-35-210, concerning permits for special cargoes, is amended to add an additional subsection to read as follows:

(p)(1) Except as provided in subdivision (a)(2)(A) of this section, the commission may issue a special permit valid for one (1) year authorizing the movement of a vehicle hauling farm machinery equipment that exceeds the maximum width authorized under § 27-35-206, but does not exceed twelve feet

(12'), if a farm machinery equipment dealer:

(A) Applies to the commission for the special permit; and

(B) Pays a fee not to exceed five hundred dollars (\$500) per vehicle authorized under this subdivision (p)(1).

(2) A farm machinery equipment dealer is responsible for the safe routing of a vehicle issued a permit under subdivision (p)(1) of this section, including without limitation ensuring the highways traveled by the vehicle are sufficiently wide for the safety of the vehicle and the traveling public.

(3) The commission may require that a farm machinery equipment dealer provide a bond or other security to compensate the department in the event of:

(A) Damage to a highway or a highway structure caused by a vehicle issued a permit under subdivision (p)(1) of this section; or

(B) Costs related to the extrication a vehicle issued a permit under subdivision (p)(1) of this section from a width-restricted highway or a highway construction or maintenance zone.

(4) A vehicle issued a permit under subdivision (p)(1) of this section shall not exceed the height, length, or weight restrictions required under this subchapter.

/s/Caldwell

APPROVED: 03/24/2017