

Stricken language would be deleted from and underlined language would be added to present law.  
Act 1061 of the Regular Session

State of Arkansas  
93rd General Assembly  
Regular Session, 2021

As Engrossed: S2/8/21 H4/21/21

## A Bill

SENATE BILL 247

By: Senator B. Johnson  
By: Representative Holcomb

### For An Act To Be Entitled

AN ACT TO AMEND THE LAW CONCERNING THE PENALTIES FOR  
A VIOLATION OF THE OFFENSE OF RACING A VEHICLE ON A  
PUBLIC HIGHWAY; AND FOR OTHER PURPOSES.

### Subtitle

TO AMEND THE LAW CONCERNING THE PENALTIES  
FOR A VIOLATION OF THE OFFENSE OF RACING  
A VEHICLE ON A PUBLIC HIGHWAY.

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

*SECTION 1. Arkansas Code § 27-50-302(a)(1), concerning the classification of an offense of certain traffic violations, is amended to read as follows:*

*(1) ~~Racing~~ Except as provided in § 27-50-309(b)(2), the first offense of racing on a public highway – Class A misdemeanor;*

*SECTION 2. Arkansas Code § 27-50-309(b) and (c), concerning the offense of racing on a public highway, are amended to read as follows:*

*(b)(1) A person commits the crime of racing on a public highway if he or she knowingly:*

*(A) Commits a violation of § 27-50-302(a)(1)-(9) and operates a motor vehicle in a race or drag race on a public highway; or*

*(B) Participates in, promotes, solicits, or collects moneys at any location for any race or drag race on a public highway; ~~or~~*

*~~(C) Rides as a passenger in or on a motor vehicle in any~~*



~~race or drag race on a public highway.~~

(2)(A) Racing A first offense of the crime of racing on a public highway is a Class A misdemeanor.

(B) A subsequent offense of the crime of racing on a public highway, committed within five (5) years of a prior offense:

(i) Is a Class A misdemeanor; and

(ii) Shall result upon conviction in the suspension of the person's driver's license for a period of six (6) months.

(c)(1) A person commits the crime of felony racing on a public highway if he or she violates subdivision (b)(1) of this section and:

(A) Commission of the violation serves to impede or stop the flow of traffic traveling on the public highway in the same or opposite direction; or

(B) Is part of a gathering of ten (10) or more individuals engaging in the same or similar behavior.

(2) Felony racing on a public highway is a Class D felony.

~~(e)(1)~~(d)(1) A person commits the crime of observing a drag race as a spectator on a public highway if he or she with the purpose to observe a drag race on a public highway:

(A) Is knowingly present at and purposely observes the drag race or the preparation for the drag race; and

(B) Purposely demonstrates through active encouragement, assistance, facilitation, urging, or a request that the drag race commence.

(2) Observing a drag race is a Class B misdemeanor.

/s/B. Johnson

APPROVED: 4/30/21