

Stricken language would be deleted from and underlined language would be added to present law.

State of Arkansas
90th General Assembly
Regular Session, 2015

A Bill

HOUSE BILL 1789

By: Representative D. Douglas

For An Act To Be Entitled

AN ACT TO AUTHORIZE THE STATE HIGHWAY COMMISSION TO IMPOSE REASONABLE FINES AND PENALTIES FOR NONCOMPLIANCE WITH STATE HIGHWAY COMMISSION RULES AND REGULATIONS; AND FOR OTHER PURPOSES.

Subtitle

TO AUTHORIZE THE STATE HIGHWAY COMMISSION TO IMPOSE REASONABLE FINES AND PENALTIES FOR NONCOMPLIANCE WITH STATE HIGHWAY COMMISSION RULES AND REGULATIONS.

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

SECTION 1. Arkansas Code § 27-65-107(a)(17), concerning the authority of the State Highway Commission to promulgate reasonable rules and regulations, administrative fees and penalties, is amended to read as follows:

(17) To establish by properly promulgated and adopted rules:

(A) ~~reasonable~~ Reasonable fees that are necessary to carry out the powers and duties of the commission for applications, permits, licenses, and other administrative purposes, including, but not limited to, driveways, logos, billboards, signage, sign visibility, and ~~weight-restricted~~ weight-restricted roadway maintenance to support the administration and operation of programs for which the fees are assessed; and

(B) Fines and penalties not to exceed ten thousand dollars (\$10,000) for violating a rule or regulation.



SECTION 2. Arkansas Code § 27-65-107(b), concerning penalties for violating rules of the State Highway Commission, is amended to read as follows:

(b)(1)(A) The rules and regulations, together with any additions or amendments thereto, prescribed by the commission under the provisions of this chapter, shall have the force and effect of law.

(B) Any person, firm, or corporation violating any a rule or regulation or any an addition or amendment thereto shall be:

(i) guilty Guilty of a Class A misdemeanor and, upon conviction, shall be fined not less than five dollars (\$5.00) nor more than one hundred dollars (\$100) for each offense; and

(ii)(a) Subject to fines and penalties prescribed by the commission under subdivision (a)(17) of this section.

(b) The fine or penalty may be imposed only after reasonable notice and a hearing before the commission under the Arkansas Administrative Procedure Act, § 25-15-201 et seq.