

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

State of Arkansas  
91st General Assembly  
Regular Session, 2017

# A Bill

HOUSE BILL 1759

By: Representative Dalby

## For An Act To Be Entitled

AN ACT TO MAKE LEGISLATIVE CORRECTIONS AND TO REPEAL  
OBSOLETE LAWS CONTAINED IN TITLE 27 OF THE ARKANSAS  
CODE; AND FOR OTHER PURPOSES.

## Subtitle

TO MAKE LEGISLATIVE CORRECTIONS AND TO  
REPEAL OBSOLETE LAWS CONTAINED IN TITLE  
27 OF THE ARKANSAS CODE.

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

SECTION 1. Arkansas Code § 27-14-405 – 27-14-407 are amended to correct obsolete references to read as follows:

The ~~Commissioner of Motor Vehicles~~ Director of the Department of Finance and Administration and ~~such~~ the officers and inspectors of the Office of Motor Vehicle ~~as he or she shall designate~~ designated by the director shall have the power:

(1) ~~Of peace officers for the purpose of enforcing the provisions of this chapter and of any other law regulating the operation of vehicles or the use of the highways;~~

(2) ~~To make arrests upon view and without warrant for any violation committed in their presence of any of the provisions of this chapter or other law regulating the operation of vehicles or the use of the highways;~~

(3) ~~When on duty, upon reasonable belief that any vehicle is being operated in violation of any provision of this chapter or of any other law regulating the operation of vehicles, to require the driver thereof to~~



~~stop and exhibit his or her driver's or chauffeur's license and the registration certificate issued for the vehicle and submit to an inspection of the vehicle, the registration plates, and registration certificate thereon or to an inspection and test of the equipment of the vehicle;~~

~~(4)~~ To inspect any vehicle of a type required to be registered under this chapter in any public garage or repair shop or in any place where such vehicles are held for sale or wrecking, for the purpose of locating stolen vehicles and investigating the title and registration ~~thereof~~ of these stolen vehicles;

~~(5)(2)~~ To serve warrants relating to the enforcement of the laws regulating the operation of vehicles or the use of the highways; and

~~(6)(3)~~ To investigate reported thefts of motor vehicles, trailers, and semitrailers.

27-14-406. Authority to take possession.

~~(a)~~ The Office of Motor Vehicle is authorized to take possession of any certificate of title, registration certificate, permit, license, or registration plate issued by ~~it~~ the office upon expiration, revocation, cancellation, or suspension ~~thereof~~, or which is fictitious or ~~which~~ has been unlawfully or erroneously issued.

~~(b) The office is authorized to take possession of any vehicle which is being operated unlawfully.~~

27-14-407. Summons of witnesses.

(a)(1) The ~~Commissioner of Motor Vehicles~~ Director of the Department of Finance and Administration and officers of the Office of Motor Vehicle designated by ~~him or her~~ the director shall have authority to summon witnesses to give testimony under oath or to give written deposition upon any matter under the jurisdiction of the office.

(2) The summons may require the production of relevant books, papers, or records.

(b)(1) Every summons shall be served at least five (5) days before the return date, either by personal service made by any person over eighteen (18) years of age or by registered mail, but return acknowledgment is required to prove the latter service.

(2) Failure to obey a summons ~~so served shall constitute~~

constitutes a misdemeanor.

(c) Any court of competent jurisdiction shall have jurisdiction, upon application by the ~~commissioner~~ director, to enforce all lawful orders of the ~~commissioner~~ director under this section.

SECTION 2. Arkansas Code § 27-115-109 is amended to read as follows:

27-115-109. Location and construction of landing fields—~~Working of prisoners.~~

(a) The Arkansas Department of Aeronautics shall assist in the location of landing fields and the promotion and development of aeronautics throughout the state.

(b) The Arkansas Department of Aeronautics ~~shall have the authority to~~ may use for the construction and development of these fields and for the grading and construction of highways leading thereto, any equipment of the Arkansas State Highway and Transportation Department which is not at that time required for other construction purposes.

~~(c) The Arkansas Department of Aeronautics is further authorized and empowered to make agreements and arrangements with the Board of Corrections for the use of convicts for any construction work in connection with the landing fields and roads.~~

~~(d) Counties, cities, and incorporated towns are likewise specifically permitted to authorize the use by the Arkansas Department of Aeronautics of their prisoners and equipment in a similar manner on projects in which they are interested and which are being developed by the Arkansas Department of Aeronautics or with the approval of the Arkansas Department of Aeronautics.~~