

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

State of Arkansas
92nd General Assembly
Regular Session, 2019

As Engrossed: H2/21/19
A Bill

HOUSE BILL 1497

By: Representative Vaught

For An Act To Be Entitled

AN ACT CREATING CIVIL IMMUNITY FOR OWNERS OF STOLEN AGRICULTURAL EQUIPMENT OR AN OFF-ROAD VEHICLE WHEN AN OFFENSE IS COMMITTED BY ANOTHER PERSON WHO STEALS THE OWNER'S AGRICULTURAL EQUIPMENT OR OTHER OFF-ROAD VEHICLE; AND FOR OTHER *PURPOSES*.

Subtitle

CREATING CIVIL IMMUNITY FOR OWNERS OF STOLEN AGRICULTURAL EQUIPMENT OR AN OFF-ROAD VEHICLE WHEN AN OFFENSE IS COMMITTED BY ANOTHER PERSON WHO STEALS THE OWNER'S AGRICULTURAL EQUIPMENT OR OTHER OFF-ROAD VEHICLE.

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

SECTION 1. Arkansas Code Title 16, Chapter 120, Subchapter 8, is amended to add an additional section to read as follows:

16-120-803. Immunity for owners of stolen agricultural equipment or off-road vehicles.

(a)(1) As used in this section, "agricultural equipment or off-road vehicle" means a self-propelled motorized vehicle that is not designed to operate on a roadway but may be used for an agricultural or recreational purpose.

(2) "Agricultural equipment or off-road vehicle" includes:

(A) An all-terrain vehicle as defined in § 27-21-102;

(B) A vehicle designed to be used for agricultural



purposes, such as a tractor; and

(C) A riding lawnmower.

(3) "Agricultural equipment or off-road vehicle" does not include:

(A) A motor vehicle designed and used for a medical purpose;

(B) A motor vehicle designed to be used by an individual with a physical disability to assist in walking;

(C) A motorized scooter or other vehicle designed to be used as a toy by a child;

(D) A bicycle equipped with a small motor designed and used to assist the bicycle operator and that is not operated at a speed of greater than twenty miles per hour (20 m.p.h.);

(E) An electric personal assistive mobility device that is designed to not be capable of a speed of more than twenty miles per hour (20 m.p.h.); or

(F) A device moved by human power or used exclusively upon stationary rails or tracks.

(b) An owner of agricultural equipment or an off-road vehicle that is stolen or unlawfully appropriated by another person who commits a criminal offense using the agricultural equipment or off-road vehicle is not liable in a civil action for damages, injuries, or death resulting from or arising out of the use of the agricultural equipment or off-road vehicle in the commission of the criminal offense.

/s/Vaught