

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

State of Arkansas
93rd General Assembly
Regular Session, 2021

A Bill

HOUSE BILL 1874

By: Representative Ladyman

For An Act To Be Entitled

AN ACT CONCERNING THE ARKANSAS SPEED TRAP LAW; AND
FOR OTHER PURPOSES.

Subtitle

CONCERNING THE ARKANSAS SPEED TRAP LAW.

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

SECTION 1. Arkansas Code § 12-8-403(b), concerning the statutory presumptions that a municipality is conducting an unlawful speed trap, is amended to read as follows:

(b) It is presumed that the affected municipality is abusing police power by conducting an unlawful speed trap upon a finding by the director that:

(1) The If the municipality has a four-lane divided state highway with the state posted speed limit not reduced inside the municipal limits, the amount of revenue for the affected municipality exceeded thirty percent (30%) of the affected municipality's total expenditures, less capital expenditures, water department expenditures, sewer department expenditures, fiduciary fund expenditures, enterprise fund expenditures, and debt service, in the preceding year;

(2) If the municipality does not have a four-lane divided state highway with the state posted speed limit not reduced inside the municipal limits, the amount of revenue for the affected municipality exceeded thirty percent (30%) of the affected municipality's total expenditures, less capital expenditures, fiduciary fund expenditures, enterprise fund expenditures, and debt service, in the preceding year; or



~~(2)~~(3) More than fifty percent (50%) of the summons written for the traffic offense of speeding that is a misdemeanor, a violation of state law, or a violation of a local ordinance in the affected municipality are written for speed limit violations that are ten miles per hour (10 m.p.h.) or less than the posted speed limit.