

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

State of Arkansas
94th General Assembly
Regular Session, 2023

As Engrossed: S3/28/23
A Bill

SENATE BILL 417

By: Senator G. Stubblefield
By: Representative Richmond

For An Act To Be Entitled

AN ACT TO AMEND THE LAW CONCERNING CIVIL LIABILITY
FOR DAMAGE CAUSED BY MOTOR VEHICLES OPERATED ON
CERTAIN PUBLIC BRIDGES; AND FOR OTHER PURPOSES.

Subtitle

TO AMEND THE LAW CONCERNING CIVIL
LIABILITY FOR DAMAGE CAUSED BY MOTOR
VEHICLES OPERATED ON CERTAIN PUBLIC
BRIDGES.

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

SECTION 1. Arkansas Code § 27-66-501(e), concerning the weight limits of motor vehicles operated on public bridges and liability for damage, is amended to read as follows:

(e)(1) Even if authorized by an overweight permit issued by the Arkansas Department of Transportation, a person or an owner operating, driving, or moving a vehicle, an object, or a contrivance upon a public bridge shall be liable for all damage that the public bridge may sustain as a result of:

~~(1)(A)~~ Careless, negligent, or illegal operation, driving, or moving of a vehicle, an object, or a contrivance; or

~~(2)(B)~~ Operation, driving, or moving of a vehicle, object, or contrivance of excessive width or weighing in excess of the ~~maximum~~ posted weight limits ~~in this chapter~~.

(2) A person or an owner operating, driving, or moving a



vehicle, object, or contrivance weighing in excess of the posted weight limit upon a public bridge shall be civilly liable for the recoverable damages under § 27-66-504(b).

SECTION 2. Arkansas Code § 27-66-504, concerning civil liability for damages, is amended to add an additional subsection to read as follows:

(b) When a public bridge or part of a public bridge is destroyed or damaged to the extent that the public bridge cannot be used safely, the person convicted of a violation of § 27-66-501 shall be civilly liable to the proper county or road improvement district for the following recoverable damages, including without limitation:

(1) The cost of replacement of the public bridge or part of the public bridge without factoring in depreciation of the destroyed public bridge; and

(2) The cost of removal of the damaged structure or debris.

/s/G. Stubblefield