

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

State of Arkansas
95th General Assembly
Regular Session, 2025

A Bill

HOUSE BILL 1364

By: Representatives Gazaway, M. Shepherd

By: Senators C. Tucker, J. Bryant

For An Act To Be Entitled

AN ACT TO MAKE TECHNICAL CORRECTIONS TO TITLE 27 OF
THE ARKANSAS CODE CONCERNING TRANSPORTATION; AND FOR
OTHER PURPOSES.

Subtitle

TO MAKE TECHNICAL CORRECTIONS TO TITLE
27 OF THE ARKANSAS CODE CONCERNING
TRANSPORTATION.

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

SECTION 1. Arkansas Code § 27-15-101 is amended to read as follows to
repeal obsolete language and make stylistic changes:

27-15-101. Decal for deaf persons.

(a) The Department of Finance and Administration shall provide a motor
vehicle license plate decal for deaf persons upon the payment of a fee of one
dollar (\$1.00) and satisfactory proof that the person's average loss in the
speech frequencies of five hundred hertz to two thousand hertz (500 Hz-2,000
Hz) in the better ear is eighty-six decibels (86 dB) or ~~worse~~ more by the
International Organization for Standardization.

(b) The department shall design a decal to indicate that the operator
of the motor vehicle may be deaf.

~~(c) The decals shall be made available beginning September 1, 1985.~~

SECTION 2. Arkansas Code § 27-15-316(a), concerning disabled veterans
under the Access to Parking for Persons with Disabilities Act, is amended to
read as follows to repeal obsolete language:



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(a) As used in this section, “disabled veteran” means a person who meets the definition of disabled veteran, or disabled veteran – nonservice injury, ~~or disabled veteran – World War I~~, under § 27-24-203.

SECTION 3. Arkansas Code § 27-15-2203(b)(1), concerning the requirements for vehicle restoration when applying for an antique motor vehicle license plate, is amended to read as follows to repeal obsolete language:

(b)(1) ~~Beginning on January 1, 2006, the~~ The Office of Motor Vehicle shall require the owner of any antique motor vehicle licensed under this subchapter to provide the Office of Motor Vehicle proof of conformity with this subchapter.

SECTION 4. The introductory language to Arkansas Code § 27-20-104(a), concerning the standard equipment required for street-use motor-driving cycles and motorcycles, is amended to read as follows to repeal obsolete language:

(a) ~~After July 5, 1977, all~~ All motor-driven cycles and all motorcycles used upon the public streets and highways of this state shall be equipped with the following standard equipment:

SECTION 5. Arkansas Code § 27-23-128 is amended to read as follows to repeal obsolete language due to the repeal of § 27-50-701 by § 9 of this act and the repeal of § 16-90-904 by Acts 2013, No. 1480, § 7, and to make stylistic changes:

27-23-128. Deferment of sentence – Restrictions.

~~No~~ A circuit court judge or district court judge may not utilize § 5-4-321, § 16-90-115, ~~§ 16-90-904~~, §§ 16-93-301 – 16-93-303, or § 16-93-314, ~~or § 27-50-701~~ or any other program to defer imposition of sentence or enter the person into a diversion program in instances in which the person holds a commercial driver license or a commercial learner’s permit and is charged with violating any state or local traffic law other than a parking violation.

SECTION 6. Arkansas Code § 27-24-203(4), concerning the definitions used in relation to special license plates for military service and veterans, is repealed as obsolete.

~~(4) “Disabled veteran — World War I” means a World War I veteran who:~~

~~(A) Received a disabling injury while serving in the United States Armed Forces during World War I; and~~

~~(B) Is either:~~

~~(i) The owner of a motor vehicle that is used by or for the totally and permanently disabled veteran; or~~

~~(ii) Furnished a motor vehicle by the United States Department of Veterans Affairs;~~

SECTION 7. Arkansas Code § 27-50-310(b), concerning the unlawful use of officially designated school bus colors or the words “school bus”, is amended to read as follows to clarify a criminal offense and make stylistic changes:

(b) Any person violating ~~the provisions of~~ subsection (a) ~~shall be deemed of this section upon conviction is~~ guilty of a ~~misdemeanor violation~~ and ~~upon conviction~~ shall be fined in any sum not less than twenty-five dollars (\$25.00) and not more than one hundred dollars (\$100).

SECTION 8. Arkansas Code § 27-50-505(c), concerning the obligation of an owner of a motor vehicle to provide information regarding the operation of a motor vehicle ticketed for a violation, is amended to read as follows to clarify a criminal offense and make stylistic changes:

(c) Failure or refusal of any registered owner of a motor vehicle to comply with ~~the provisions of~~ this section ~~shall be a misdemeanor is a violation~~. Upon conviction, the person ~~shall be~~ is subject to a fine of not less than five dollars (\$5.00) nor more than fifty dollars (\$50.00).

SECTION 9. Arkansas Code Title 27, Chapter 50, Subchapter 7, is repealed because its provisions are codified at § 5-4-321.

~~Subchapter 7 — Trial and Judgment~~

~~27-50-701. Postponement of judgment.~~

~~In traffic misdemeanor cases, other than cases involving driving under the influence of alcohol or drugs, the judge shall have authority to postpone judgment for not more than one (1) year, during which period the defendant~~

~~shall be in a probationary status, supervised or unsupervised, and shall remain in probationary status until judgment is entered.~~

~~27-50-702. Request for entry or postponement of judgment.~~

~~(a) At the request of the defendant, parent of a minor defendant, or counsel for the defense, judgment shall be entered as quickly as feasible and not more than ten (10) days following such request.~~

~~(b) At the request of the defendant, parent of a minor defendant, or counsel for the defense, probation may be continued and judgment postponed for more than one (1) year.~~

SECTION 10. Arkansas Code § 27-50-802 is repealed as obsolete.

~~27-50-802. Certain speeding convictions not included in report — Exception for chauffeurs.~~

~~(a) All courts in this state required by law to furnish records of convictions of all motor vehicle violations to the Office of Driver Services shall continue to furnish the records, but in compiling reports of convictions of traffic violations, the Office of Driver Services shall not include in the traffic violation report of any individual any conviction for the offense of speeding if the conviction is based on speeding upon a public highway in excess of fifty five miles per hour (55 m.p.h.) speed limit as established pursuant to Pub. L. No. 93-239 of January 2, 1974, but less than seventy five miles per hour (75 m.p.h.).~~

~~(b) The Office of Driver Services shall include in the traffic violation report of any person holding a chauffeur's license any conviction for the offense of speeding in excess of the fifty five miles per hour (55 m.p.h.) speed limit as established pursuant to Pub. L. No. 93-239 of January 2, 1974, to the employer of the person and shall furnish the complete driver history record of the person pursuant to a written authorization as provided in § 27-50-908 to the employer of the person holding a chauffeur's license.~~

SECTION 11. Arkansas Code § 27-50-803 is amended to read as follows to clarify the section and make stylistic changes:

27-50-803. Notification when minor convicted.

(a) As used in this section, "minor" means a person under eighteen (18) years of age.

~~(b) Whenever any court in this state shall convict any person under eighteen (18) years of age~~ If a minor is convicted of any moving traffic violation under the laws of this state, or under any municipal ordinance, whether the fine and sentence imposed ~~shall be~~ is collected or whether ~~it may be~~ the fine and sentence imposed is suspended, the ~~convicting~~ court shall notify in writing the parents, guardian, or other person who signed the application of the ~~person~~ minor for ~~an instructor's a~~ permit or ~~operator's~~ license as required by ~~the provisions of~~ under § 27-16-702.

~~(c) If the convicted person~~ minor does not have ~~an instructor's a~~ permit or ~~operator's~~ license, the court shall notify the father or mother of the ~~person~~ minor, if living, or the guardian or other person having custody of the ~~person~~ minor of the conviction.

SECTION 12. Arkansas Code § 27-67-320 is amended to read as follows to clarify the section, correct an obsolete reference, and make stylistic changes:

27-67-320. Acquisition when county court fails to grant petition.

(a) ~~Where~~ If the State Highway Commission petitions any county court asking for a right-of-way for any state highway and ~~where~~ the county court fails to grant the petition and ~~to make~~ issue a court order procuring the right-of-way within sixty (60) days after the petition is presented, then the commission may take such steps as ~~it~~ the commission deems expedient to acquire the right-of-way, either by purchase, exercise of ~~its~~ the commission's right of eminent domain, or otherwise.

(b) ~~In that event~~ If the commission acquires the right-of-way by purchase, eminent domain, or otherwise, one-half ($\frac{1}{2}$) of the cost of acquiring the right-of-way shall be deducted from the next payment due ~~any~~ the county by reason of any appropriation out of the ~~State Highway~~ County Aid Fund or state revenue from gasoline as motor vehicle fuel or auto license tax to the county or county highway fund of the county.

(c) ~~All suits~~ A suit involving the validity of this section or any portion of ~~it shall be deemed matters~~ this section is a matter of public interest and shall be advanced and disposed of at the earliest possible moment, and appeals in such suits ~~must~~ shall be taken and perfected within thirty (30) days from the date of the judgment or decree.

SECTION 13. Arkansas Code § 27-101-412(b), concerning sewage disposal by commercial boating facilities, docks, and marinas, is amended to read as follows to repeal obsolete language:

(b) ~~By July 1, 2004, any~~ Any person owning or operating a commercial boating facility, dock, or marina that stores or houses vessels equipped with toilet facilities and marine sanitation devices shall provide access to sewage pumpout facilities.

SECTION 14. DO NOT CODIFY. CONSTRUCTION AND LEGISLATIVE INTENT.

It is the intent of the General Assembly that:

(1) The enactment and adoption of this act shall not expressly or impliedly repeal an act passed during the regular session of the Ninety-Fifth General Assembly;

(2) To the extent that a conflict exists between an act of the regular session of the Ninety-Fifth General Assembly and this act:

(A) The act of the regular session of the Ninety-Fifth General Assembly shall be treated as a subsequent act passed by the General Assembly for the purposes of:

(i) Giving the act of the regular session of the Ninety-Fifth General Assembly its full force and effect; and

(ii) Amending or repealing the appropriate parts of the Arkansas Code of 1987; and

(B) Section 1-2-107 shall not apply; and

(3) This act shall make only technical, not substantive, changes to the Arkansas Code of 1987.