

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

State of Arkansas
95th General Assembly
Regular Session, 2025

As Engrossed: H3/12/25

A Bill

HOUSE BILL 1569

By: Representative Long

By: Senator J. Payton

For An Act To Be Entitled

AN ACT TO CREATE THE SECURE ROADS AND SAFE TRUCKING ACT OF 2025; TO AMEND THE LAW CONCERNING A COMMERCIAL DRIVER LICENSE AND THE OPERATORS OF COMMERCIAL MOTOR VEHICLES; TO REQUIRE THAT OPERATORS OF COMMERCIAL MOTOR VEHICLES HAVE PROFICIENCY IN THE ENGLISH LANGUAGE; TO REQUIRE THAT OPERATORS OF COMMERCIAL MOTOR VEHICLES HAVE A VALID COMMERCIAL DRIVER LICENSE; TO CREATE ADDITIONAL CRIMINAL PENALTIES FOR OFFENSES COMMITTED WHILE OPERATING A COMMERCIAL MOTOR VEHICLE; TO DECLARE AN EMERGENCY; AND FOR OTHER PURPOSES.

Subtitle

TO CREATE THE SECURE ROADS AND SAFE TRUCKING ACT OF 2025; TO AMEND THE LAW CONCERNING COMMERCIAL DRIVERS; TO CREATE PENALTIES FOR OFFENSES COMMITTED WHILE OPERATING A COMMERCIAL MOTOR VEHICLE; AND TO DECLARE AN EMERGENCY.

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

SECTION 1. DO NOT CODIFY. Title.

This act shall be known and may be cited as the "Secure Roads and Safe Trucking Act of 2025".

SECTION 2. DO NOT CODIFY. Legislative findings.



The General Assembly finds that:

(1) Government entities have existing requirements for the operators of various modes of commercial transportation to demonstrate English proficiency;

(2) A requirement to demonstrate English proficiency is not unique to the operation of a commercial motor vehicle and is required for other modes of commercial transportation;

(3) A demonstration of English proficiency is required during the licensure process for a pilot's license and instrument rating under 14 C.F.R. Parts 61, 63, 65, and 107; and

(4) The International Civil Aviation Organization, of which the United States is a member, requires operators of commercial aircraft to demonstrate English language proficiency.

SECTION 3. Arkansas Code Title 27, Chapter 23, Subchapter 1, is amended to add additional sections to read as follows:

27-23-132. Requirement to possess commercial driver license from valid jurisdiction.

An individual operating a commercial motor vehicle within this state shall possess:

(1) A valid commercial driver license issued by a state, territory, or possession of the United States, the District of Columbia, or the Commonwealth of Puerto Rico; or

(2) Both:

(A) A valid commercial driver license issued by a state, territory, district, or province of Canada or Mexico; and

(B) A valid work visa.

27-23-133. Operation of commercial motor vehicle by certain visa holders.

(a)(1) A holder of a B-1, B-2, or B-1/B-2 nonimmigrant visitor visa under 22 C.F.R. §§ 41.31 - 41.33, as they existed on January 1, 2025, shall not perform labor or services operating a commercial motor vehicle within this state.

(2) The act of operating a commercial motor vehicle is considered labor.

(b) A commercial motor carrier as defined in § 27-14-613 that is

domiciled in the United States and operating in Arkansas shall not employ or contract with a holder of a B-1, B-2, or B-1/B-2 nonimmigrant visitor visa under 22 C.F.R. §§ 41.31 – 41.33, as they existed on January 1, 2025, as an operator of a commercial motor vehicle within this state.

(c) Upon a finding that the holder of a B-1, B-2, or B-1/B-2 nonimmigrant visitor visa under 22 C.F.R. §§ 41.31–41.33, as it existed on January 1, 2025, operated a commercial motor vehicle:

(1) The commercial motor vehicle shall be impounded, subject to the process for the impoundment of a motor vehicle as set forth under § 27-22-109(b) and (c);

(2) The operator of the commercial motor vehicle who violates this section shall be subject to a fine of five thousand (\$5,000) dollars.

27-23-134. Exclusion of reciprocity.

A nondomiciled commercial driver license or nondomiciled commercial learner's permit issued by a state other than Arkansas under 49 C.F.R. § 383.71, as it existed on January 1, 2025, is not valid to authorize the operation of a commercial motor vehicle within this state.

27-23-135. English proficiency.

An operator of a commercial motor vehicle shall demonstrate proficiency in the English language sufficient to:

- (1) Read road signs and warning signs;
- (2) Understand traffic control devices; and
- (3) Communicate effectively in an emergency with:
 - (A) Emergency services;
 - (B) Law enforcement; and
 - (C) Other drivers.

27-23-136. Noncitizen operating commercial motor vehicle without domestic commercial driver license.

(a) A person commits the offense of operating a commercial motor vehicle without a domestic commercial driver license if he or she:

- (1) Is not a citizen of the United States;
- (2) Operates a commercial motor vehicle; and
- (3) Does not hold a valid commercial driver license under § 27-

23-132.

(b)(1) The offense of operating a commercial motor vehicle without a domestic commercial driver license is a violation and is subject to a fine of five thousand dollars (\$5,000).

(2) Upon an arrest for a violation of this section, the commercial motor vehicle that the person was operating shall be impounded, subject to the process for the impoundment of a motor vehicle stated under § 27-22-109(b) and (c).

(c) An offense under this section is a strict liability offense.

27-23-137. Criminal use of a commercial motor vehicle.

(a) A person commits the offense of criminal use of a commercial motor vehicle if he or she:

(1) Is not a citizen of the United States;

(2) Does not hold a valid commercial driver license under § 27-23-132; and

(3) Causes the bodily harm of another person while operating a commercial motor vehicle.

(b) The offense of criminal use of a commercial motor vehicle is a Class D felony with a minimum term of imprisonment of six (6) months.

(c) An offense under this section is a strict liability offense.

27-23-138. Vehicular homicide with a commercial motor vehicle.

(a) A person commits the offense of vehicular homicide with a commercial motor vehicle if he or she:

(1) Is not a citizen of the United States;

(2) Does not hold a valid commercial driver license under § 27-23-132; and

(3) Causes the death of another person while operating a commercial motor vehicle.

(b) The offense of vehicular homicide with a commercial motor vehicle is a Class B felony with a minimum term of imprisonment of ten (10) years.

(c) An offense under this section is a strict liability offense.

27-23-139. Operating commercial motor vehicle without sufficient English language proficiency.

(a) A person commits the offense of operating a commercial motor vehicle without sufficient English language proficiency if he or she:

(1) Operates a commercial vehicle; and

(2) Fails to demonstrate proficiency in the English language as required under § 27-23-135.

(b) The offense of operating a commercial motor vehicle without sufficient English language proficiency is a violation and is subject to a fine of five thousand dollars (\$5,000).

(c) An offense under this section is a strict liability offense.

27-23-140. Providing commercial motor vehicle to ineligible operator – Penalties – Definition.

(a) A commercial motor carrier commits the offense of providing a commercial motor vehicle to an ineligible operator if the commercial motor carrier negligently provides a commercial vehicle to a person who:

(1) Operates the commercial motor vehicle; and

(2) Violates § 27-23-133, § 27-23-136, or § 27-23-139.

(b) The offense of providing a commercial motor vehicle to an ineligible operator is a violation and is subject to a fine of ten thousand dollars (\$10,000).

(c) As used in this section, "commercial motor carrier" means the same as used in § 27-14-613.

SECTION 4. EMERGENCY CLAUSE. It is found and determined by the General Assembly of the State of Arkansas that that the implementation of this act is essential to the safety of the citizens of the State of Arkansas; and that this act is immediately necessary because a delay in implementing this act could cause irreparable harm to public safety. Therefore, an emergency is declared to exist, and this act being immediately necessary for the preservation of the public peace, health, and safety shall become effective on:

(1) The date of its approval by the Governor;

(2) If the bill is neither approved nor vetoed by the Governor, the expiration of the period of time during which the Governor may veto the bill; or

(3) If the bill is vetoed by the Governor and the veto is

overridden, the date the last house overrides the veto.

/s/Long