

1 **State of Arkansas**
2 **78th General Assembly**
3 **Regular Session, 1991**

A Bill ACT 32 OF 1991
SENATE BILL 79

4 **By: Committee on Public Transportation**

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For An Act To Be Entitled

8 "AN ACT TO REPEAL ARKANSAS CODE 27-37-503, WHICH EXEMPTS
9 CERTAIN TRAILERS AND POLE TRAILERS FROM BEING EQUIPPED
10 WITH BRAKES, TO MAKE SURE THAT ARKANSAS LAWS ARE
11 COMPATIBLE WITH FEDERAL MOTOR CARRIER SAFETY REGULATIONS,
12 THUS INSURING THE CONTINUED RECEIPT OF FEDERAL FUNDS WHICH
13 ARE ESSENTIAL TO ARKANSAS HIGHWAY SAFETY PROGRAMS; AND FOR
14 OTHER PURPOSES."

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

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18 SECTION 1. Arkansas Code 27-37-503 is hereby repealed.

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20 SECTION 2. All provisions of this act of a general and permanent nature
21 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code
22 Revision Commission shall incorporate the same in the Code.

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24 SECTION 3. If any provision of this act or the application thereof to
25 any person or circumstance is held invalid, such invalidity shall not affect
26 other provisions or applications of the act which can be given effect without
27 the invalid provision or application, and to this end the provisions of this
28 act are declared to be severable.

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30 SECTION 4. All laws and parts of laws in conflict with this act are
31 hereby repealed.

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33 SECTION 5. Emergency. It is hereby found and determined by the
34 Seventy-Eighth General Assembly of the State of Arkansas that Arkansas Code
35 27-37-503 is incompatible with Federal Motor Carrier Safety Regulations; that
36 unless Arkansas Code 27-37-503 is repealed, the federal funds received by the

1 State for highway safety programs of this State will be in jeopardy; that such
2 federal funds are essential to the highway safety programs of this State, in
3 particular federal funds received by the State under the Motor Carrier Safety
4 Assistance Program (MCSAP) which funds are utilized in assisting the
5 monitoring and enforcement of the safety of trucks on this State's highways,
6 roads, and streets; and that in the event of an extension of the Regular
7 Session, the delay in the effective date of this act beyond July 1, 1991,
8 could work irreparable harm upon the proper administration and provision of
9 this essential highway safety program. Therefore, an emergency is hereby
10 declared to exist and this act being necessary for the preservation of the
11 public peace, health, and safety shall be in full force and effect from and
12 after July 1, 1991.

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APPROVED: 2-1-91