

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

1 State of Arkansas
2 84th General Assembly
3 Regular Session, 2003
4

A Bill

Act 543 of 2003
HOUSE BILL 2153

5 By: Representative Adams
6
7

For An Act To Be Entitled

9 AN ACT TO CLARIFY THE DEFENSE TO PROSECUTION FOR
10 THE VIOLATION OF OPERATING AN ALL-TERRAIN VEHICLE
11 ON A PUBLIC STREET OR HIGHWAY; AND FOR OTHER
12 PURPOSES.
13

Subtitle

15 TO CLARIFY THE DEFENSE TO PROSECUTION
16 FOR THE VIOLATION OF OPERATING AN ALL-
17 TERRAIN VEHICLE ON A PUBLIC STREET OR
18 HIGHWAY.
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20

21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
22

23 SECTION 1. Arkansas Code § 27-21-109(b), concerning the defenses to
24 prosecution for violations of the all-terrain vehicle law, is amended to read
25 as follows:

26 (b) It shall be a ~~complete~~ defense to prosecution under ~~this chapter §~~
27 27-21-106 for a violation of operating an all-terrain vehicle upon the public
28 streets or highways if the all-terrain vehicle operator can show by a
29 preponderance of the evidence that:

30 (1) The public street or highway was outside the city limits of
31 any municipality or incorporated town in Arkansas; and

32 (2) The public street or highway was not a United States
33 interstate highway; and

34 (3) Traveling on the public street or highway was the most
35 reasonable route of access available to him or her from one (1) offroad trail
36 to another offroad trail or from his or her private property to an offroad



1 trail; and

2 (4) His or her purpose for riding on the public street or
3 highway was to get from one (1) offroad trail to another offroad trail or his
4 or her purpose for riding on the public street or highway was to get from his
5 or her private property to an offroad trail.

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APPROVED: 3/18/2003