

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 863 of 2003
HOUSE BILL 2184

5 By: Representative House
6 By: Senator Higginbothom
7

For An Act To Be Entitled

10 AN ACT TO AUTHORIZE CERTAIN PUBLIC SERVICE AND
11 UTILITY VEHICLES TO STOP AND PARK UPON THE
12 ROADWAY FOR A REASONABLE TIME TO PERFORM THE
13 PUBLIC SERVICE; AND FOR OTHER PURPOSES.
14

Subtitle

15 TO ALLOW CERTAIN PUBLIC SERVICE AND
16 UTILITY VEHICLES TO STOP AND PARK UPON
17 THE ROADWAY FOR A REASONABLE TIME TO
18 PERFORM THE PUBLIC SERVICE.
19
20
21

22 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
23

24 SECTION 1. Arkansas Code § 27-51-1303 is amended to read as follows:

25 27-51-1303. Stopping, standing, or parking outside of business or
26 residence district.

27 (a)(1) Upon any highway outside of a business or residence district,
28 no person shall stop, park, or leave standing any vehicle, whether attended
29 or unattended, upon the paved or main-traveled part of the highway when it is
30 practicable to stop, park, or leave the vehicle off such part of the highway.
31 In every event, an unobstructed width of the highway opposite a standing
32 vehicle shall be left for the free passage of other vehicles, and a clear
33 view of the stopped vehicles shall be available from a distance of two
34 hundred feet (200') in each direction upon the highway.

35 (2)~~(A)~~ Any driver who shall violate the provisions of this
36 section shall be liable for any damages of which the violation is the



1 proximate cause.

2 ~~(B) Any driver whose vehicle unavoidably collides with a~~
3 ~~vehicle that was stopped in violation of this section shall be relieved of~~
4 ~~any liability for damages to any party.~~

5 (3) This subsection shall not apply to:

6 (A) Employees ~~employees~~ or vehicles of the Arkansas State
7 Highway and Transportation Department engaged in necessary construction,
8 maintenance, or repair of the highways, ~~nor to:~~

9 (B) Authorized ~~authorized~~ emergency vehicles on emergency
10 trips, such as police vehicles on duty, fire vehicles on calls, or ambulances
11 and wreckers engaged in the removal of persons or vehicles from the traveled
12 part of the highway; ~~or~~

13 (C) Public utility or service vehicles of any type,
14 including, but not limited to, mail delivery, overnight couriers, electric or
15 gas utility, or solid waste collection if the utility or service vehicles are
16 at least one-half (½) outside the designated lane and remain on the highway
17 only for the time reasonably necessary to perform the required service.

18 (b) This section shall not apply to the driver of any vehicle which is
19 disabled while on the paved or main-traveled portion of a highway in a manner
20 and to an extent that it is impossible to avoid stopping and temporarily
21 leaving the disabled vehicle in that position.

22
23
24
25
26
27
28
29
30
31
32
33
34
35
36

APPROVED: 3/28/2003