

Hall of the House of Representatives
84th General Assembly - Regular Session, 2003
Amendment Form

Subtitle of House Bill No. 2401

"TO REPEAL ARKANSAS LAWS CONCERNING THE DUTY OF A MOTOR CARRIER TO
FILE AN ANNUAL REPORT AND TO REPEAL THE PENALTIES FOR FAILING TO FILE
THE REPORT OR FILING FALSE REPORTS."

Amendment No. 1 to House Bill No. 2401.

Amend House Bill No. 2401 as originally introduced:

Page 2, line 13, add new sections to the bill to read as follows:

“SECTION 3. Arkansas Code § 23-13-262 is amended to read as follows:
23-13-262. Actions to recover penalties.

(a) An action to recover a penalty under §§ 23-13-234, ~~23-13-254~~, and 23-13-257 - 23-13-264 or to enforce the powers of the Arkansas Transportation Commission [abolished] under this subchapter or any other law may be brought in any circuit court in this state in the name of the State of Arkansas, on relation to the commission, and shall be commenced and prosecuted to final judgment by the counsel to the commission.

(b) In any such action, all penalties incurred up to the time of commencing the action may be sued for and recovered therein.

(c) The commencement of an action to recover a penalty shall not be, or be held to be, a waiver of the right to recover any other penalty.

SECTION 4. EMERGENCY CLAUSE. It is found and determined by the General Assembly of the State of Arkansas that requiring a motor carrier or broker to report annually to the Arkansas Highway Commission creates an unjustified burden on the motor carrier or broker operating in the State of Arkansas; that other provisions of Arkansas law require a motor carrier or broker to report annually to other authorities; and that this act is immediately necessary because these dual reporting requirements are duplicative and need to be eliminated to reduce the duplication of government efforts. 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.”

The Amendment was read _____

By: Representative Rosenbaum

EAN/APK - 031320030843

ONE331

Chief Clerk