

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

\*\*\*\*\*

**Subtitle of House Bill No. 2594**

"AN ACT TO REQUIRE PERSONS SEATED IN A WHEELCHAIR IN A MOTOR VEHICLE  
TO WEAR A SEAT BELT AND TO REQUIRE THE WHEELCHAIR TO BE PROPERLY  
SECURED IN THE MOTOR VEHICLE."

\*\*\*\*\*

**Amendment No. 1 to House Bill No. 2594.**

Amend House Bill No. 2594 as originally introduced:

Add Representatives Walters and Pate as cosponsors

AND

Page 1, line 12, delete "VEHICLE; AND" substitute "VEHICLE; TO MAKE TECHNICAL  
CORRECTIONS TO THE CHILD PASSENGER PROTECTION ACT; AND"

AND

Page 1, delete line 19 and substitute "VEHICLE; AND FOR OTHER PURPOSES."

AND

Page 1, line 28, delete "belt." and substitute "belt properly secured to the  
vehicle."

AND

Page 2, line 6, delete "belt;" and substitute "belt properly secured to the  
wheelchair;"

AND

Insert three additional sections at the end of the bill to read as follows:

"SECTION 2. Arkansas Code § 27-34-103(b) is amended to read as  
follows:

"(b) In determining the amount of fine to be assessed under this  
section, any court hearing the matter shall consider whether, if the offense  
is for failure to secure the child in a child passenger safety seat properly



secured to the vehicle, the child was restrained by some alternative means such as seat safety belts properly secured to the vehicle."

SECTION 3. Arkansas Code § 27-34-104 is amended to read as follows:  
"27-34-104. Requirements.

(a) Every driver who transports a child under the age of fifteen (15) years in a passenger automobile, van, or pickup truck, other than one operated for hire, which is registered in this or any other state, shall provide, while the motor vehicle is in motion and operated on a public road, street, or highway of this state, for the protection of the child by properly placing, maintaining, and securing the child in a child passenger restraint system properly secured to the vehicle and meeting applicable federal motor vehicle safety standards in effect on January 1, 1995.

(b) A child who is less than six (6) years of age and who weighs less than sixty pounds (60 lbs.) shall be restrained in a child passenger safety seat properly secured to the vehicle.

(c) If a child is at least six (6) years of age or at least sixty pounds (60 lbs.) in weight, a safety belt properly secured to the vehicle shall be sufficient to meet the requirements of this section.

SECTION 4. EMERGENCY CLAUSE. It is found and determined by the General Assembly of the State of Arkansas that present law is unclear as to whether seatbelts and safety restraint systems must be properly secured to vehicles; that this law cures that ambiguity; and until this act goes into effect, the safety of children and disabled people riding in motor vehicles may be compromised. 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 Walters  
LDH/MHF - 041020031515  
MHF546

\_\_\_\_\_  
Chief Clerk