

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

Subtitle of Senate Bill No. 926

"AN ACT TO REQUIRE DRIVERS TO MOVE INTO THE OUTSIDE LANE ON A MULTI-LANE HIGHWAY WHEN PASSING A LAW ENFORCEMENT OFFICER STOPPED ON THE SHOULDER OF THE ROAD WITH LIGHTS FLASHING."

Amendment No. 1 to Senate Bill No. 926.

Amend Senate Bill No. 926 as originally introduced:

Add Representative Roebuck as a cosponsor of the bill

AND

Delete the title and substitute the following:

"AN ACT TO REQUIRE DRIVERS TO MOVE INTO THE FURTHEST LANE FROM A LAW ENFORCEMENT VEHICLE STOPPED ON THE SHOULDER OF THE MULTI-LANE HIGHWAY WHEN THE VEHICLE'S LIGHTS ARE FLASHING; AND FOR OTHER PURPOSES."

AND

Delete the subtitle and substitute the following:

"AN ACT TO REQUIRE DRIVERS TO MOVE INTO THE FURTHEST LANE FROM A LAW ENFORCEMENT VEHICLE STOPPED ON THE SHOULDER OF THE MULTI-LANE HIGHWAY WHEN THE VEHICLE'S LIGHTS ARE FLASHING."

AND

Delete SECTION 1 and substitute the following:

"SECTION 1. (a) When passing a law enforcement officer stopped on the shoulder of a multi-lane highway, with the law enforcement vehicle's lights flashing, the motor vehicle operator shall move, when possible, into the furthest lane from the law enforcement vehicle and remain in that lane until past the law enforcement officer's vehicle and any other vehicles involved in the stop.

(b)(1)(A) Any party who pleads guilty or nolo contendere to, or is found guilty of, violating this section shall be guilty of a misdemeanor and shall be fined not less than thirty-five dollars (\$35.00) nor more than five



hundred dollars (\$500) or confined in the county jail not to exceed ninety (90) days or both fined and imprisoned.

(B) In addition to the penalties prescribed in subdivision (b)(1)(A), the court may order community service for not more than seven (7) days and may suspend the person's driver's license for a period of not less than ninety (90) days nor more than six (6) months.

(2) There is created a rebuttable presumption that shall arise in any criminal action under this section to the effect that, if it can be proven that a person is the registered owner of a vehicle that is driven in a manner which violates this section, the person is presumed to have been the driver of the vehicle at the time of the violation.

SECTION 2. EMERGENCY CLAUSE. It is found and determined by the General Assembly of the State of Arkansas that deaths have often occurred when police vehicles are parked on the road shoulders during law enforcement activities; that on multi-lane highways this could be avoided by requiring drivers to pass the scene in the furthest lane from the stopped police vehicle; that this act so provides; and that until this act becomes effective the danger will remain. 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 Roebuck
LDH/MHF - 032120031151
MHF455

Chief Clerk