

ARKANSAS SENATE
87th General Assembly - Regular Session, 2009
Amendment Form

Subtitle of Senate Bill No. 38

"AN ACT TO BE KNOWN AS "RACHEL'S BILL" FOR THE PURPOSE OF IMPROVING
PERSONAL WATERCRAFT SAFETY."

Amendment No. 1 to Senate Bill No. 38.

Amend Senate Bill No. 38 as originally introduced:

Page 1, delete lines 26 through 28 and substitute the following:

"SECTION 1. Arkansas Code § 5-76-101(3), concerning the definition of motorboat for purposes of prohibiting operation of motorboats while intoxicated, is amended to read as follows:

(3)(A) "Motorboat" means any vessel operated upon water and that is propelled by machinery, whether or not the machinery is the principal source of propulsion.

(B) "Motorboat" includes personal watercraft as defined in § 27-101-103(10);

SECTION 2. Arkansas Code § 27-101-205 is amended to add a new subsection to read as follows:

27-101-205. Collision or accident."

AND

Page 2, delete lines 13 through 21 and substitute the following:

"(c) When a person operating a vessel is involved in a collision, accident, or other casualty resulting in loss of human life or when there is reason to believe death may result, or a law enforcement officer has reasonable cause to believe that the person, while operating a vessel, is intoxicated or under the influence of any narcotic drug, barbituate, or marijuana or while under any physical or mental disability so as to be incapable of operating the vessel safely under the prevailing circumstances, a law enforcement officer shall request and the person shall submit to a chemical test of the person's blood, breath, or urine in accordance with the provisions of § 5-76-104, even if the person is fatally injured, for the purpose of determining the alcohol or controlled substance content of his or her blood, breath, or urine."

AND



Delete SECTION 4 in its entirety

AND

Appropriately renumber the sections of the bill

The Amendment was read the first time, rules suspended and read the second time and _____

By: Senator Faris

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Secretary