

ARKANSAS SENATE
92nd General Assembly - Regular Session, 2019
Amendment Form

Subtitle of House Bill No. 1411

CONCERNING THE DEFINITION OF "MOTOR VEHICLE" UNDER THE OMNIBUS DWI OR BWI ACT;
AND CONCERNING A TEST FOR BLOOD ALCOHOL CONTENT WHEN A MOTOR VEHICLE OR
BOATING ACCIDENT OCCURS.

Amendment No. 2 to House Bill 1411

Amend House Bill No. 1411 as engrossed, S2/28/19 (version: 2/28/2019 11:43:34 AM)

Page 1, delete lines 27 and 28, and substitute the following:

"SECTION 1. DO NOT CODIFY. Legislative intent.

(a)(1) It is the intent of the General Assembly to provide for the safety of the public in instances in which serious physical injury occurs on the roadways and waterways of this state as a result of a person's operating a motor vehicle or motorboat while he or she is under the influence of alcohol or a controlled substance.

(2) A motor vehicle in this instance would include an all-terrain vehicle or agricultural vehicle that is often not operated on the roadways of the state and instead operated in an off-road or agricultural field capacity.

(b) It is not the intent of the General Assembly to provide a way for a law enforcement officer to enter onto private land when the law enforcement officer lacks probable cause or other lawful reasons to enter onto private land.

SECTION 2. Arkansas Code § 5-65-102, concerning definitions used under the Omnibus DWI or BWI Act, is amended to add new subdivisions to read as"

AND

Page 2, delete line 17, and substitute the following:

"exclusively upon stationary rails or tracks; and

(11) "Serious physical injury" means physical injury that creates a substantial risk of death or that causes protracted disfigurement, protracted impairment of health, or loss or protracted impairment of the function of any bodily member or organ."

AND



Page 2, line 25, delete "bodily" and substitute "physical"

AND

Appropriately renumber the remaining sections of the bill

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

By: Senator E. Cheatham

BPG/BPG - 03-11-2019 15:41:42

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Secretary