

State of Arkansas

77th General Assembly

Regular Session, 1989

A Bill

HOUSE BILL

1081

By: Representative Fuller

For An Act To Be Entitled

"AN ACT TO ESTABLISH A SEMI-ANNUAL SAFETY INSPECTION PROGRAM FOR ALL ACTIVITY BUSES OPERATED IN THE STATE OF ARKANSAS; TO REQUIRE THAT PROOF OF BOTH SEMI-ANNUAL INSPECTIONS MUST BE PRESENTED PRIOR TO RENEWAL OF THE MOTOR VEHICLE REGISTRATION; TO PERMIT THAT ACTIVITY BUSES MAY BE STOPPED AND INSPECTED FOR SAFETY PURPOSES; AND FOR OTHER PURPOSES."

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

SECTION 1. As used in this act, unless the context otherwise requires:

(1) "Activity bus" means any bus or motor vehicle designed and manufactured to carry more than fifteen (15) passengers and used for carrying passengers. "Activity bus" includes all buses used for carrying passengers, organization members, or other persons and owned and operated by a church, by a boy scout troop, by a 4-H organization or a farm. The term does not include: public school buses used for the transportation of students to and from public school and subject to the bus safety programs of the state Department of Education; buses or other vehicles operated by any transit system; or buses which have been converted to or equipped as a camper bus and which are used as a camper bus as defined by Arkansas Code §27-15-4001;

(2) "Department" means the Department of Arkansas State Police;

(3) "Director" means the Director of the Department of Arkansas State Police.

SECTION 2. (a) Every activity bus registered in this state shall be inspected twice annually for safety and an official certificate of inspection and approval shall be obtained for each inspection for each activity bus. The annual motor vehicle safety inspection for safety required by the Arkansas Motor Vehicle Inspection Law, Arkansas Code §27-32-101 et seq., shall serve as

the initial inspection for safety for activity buses. The second inspection for safety shall occur in the same manner, using the same procedures, in the same authorized inspection stations, and subject to the same inspection fees as the initial inspection under the Arkansas Motor Vehicle Inspection Law, Arkansas Code §27-32-101 et seq. The second inspection for safety shall occur more than 150 days and not later than 180 days after the initial inspection for safety. The second inspection shall be evidenced by the issuance of a certificate of inspection which shall be placed on the front windshield beside the initial inspection certificate so as not to obstruct the vision of the driver.

(b) The fees for the second inspection shall be in the same amount and shall be distributed in the same manner as fees for the initial inspection. They shall be special revenues and shall be deposited in the State Treasury to the credit of the State Police Fund to be used to defray the costs of administering this act and for the support of the department as provided by law or as otherwise prescribed by law.

SECTION 3. No activity bus shall be registered or licensed under the provisions of the laws of this state by the Director of the Department of Finance and Administration unless the activity bus for which the license is sought has been inspected under the provisions of this act. The Director of the Department of Finance and Administration shall require that a receipt for both semi-annual safety inspections for activity buses be presented at the time of annual motor vehicle registration. Every activity bus registered in this state and subsequently sold or transferred shall have a new inspection and certificate of inspection and approval if the latest semi-annual inspection was conducted more than thirty (30) days prior to the transfer or sale.

SECTION 4. The Director, uniformed officers, and troopers of the department and other peace officers as the Director designates may, at any time, upon reasonable cause to believe that an activity bus is not safe or not equipped as required by law, require the driver to stop and submit the activity bus to an inspection. Any person who operates an activity bus on the highways of this state which has not met the requirements for the semi-annual safety inspection is guilty of a misdemeanor and upon conviction shall be

fined not less than twenty dollars (\$20.00) nor more than two hundred dollars (\$200.00).

SECTION 5. The director is authorized to make rules and regulations for the administration and enforcement of this act. The Director of the Department of Finance and Administration is authorized to make rules and regulations necessary to carry out the collection of fees and the issuance of registrations as required under this act.

SECTION 6. All provisions of this act of a general and permanent nature are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code Revision Commission shall incorporate the same in the Code.

SECTION 7. All laws and parts of laws in conflict with this Act are hereby repealed.