

1 **State of Arkansas**  
2 **78th General Assembly**  
3 **Regular Session, 1991**  
4 **By: Representative Hunton**

# A Bill

**HOUSE BILL**

## **For An Act To Be Entitled**

8 "AN ACT TO REPEAL ARKANSAS CODE 27-32-101 THROUGH 27-32-  
9 116 PERTAINING TO THE INSPECTION OF MOTOR VEHICLES; TO  
10 PROVIDE FOR THE SALE OF MOTOR VEHICLE SAFETY STICKERS TO  
11 REPLACE THE REVENUE DERIVED FROM THE SALE OF CERTIFICATES  
12 OF INSPECTION; AND FOR OTHER PURPOSES."

13

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

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16 SECTION 1. (a) Upon registration or renewal, each motor vehicle owner  
17 shall file an affidavit declaring that the motor vehicle and its equipment is  
18 in good working order and adjustment and is in such safe mechanical condition  
19 as not to endanger the driver or other occupant or any person upon the highway  
20 and that it meets all other safety requirements prescribed by law or  
21 regulation.

22 (b) False declaration under subsection (a) of this section shall be  
23 punishable as a Class A misdemeanor. In addition, the judge shall enter an  
24 order directing the Director of the Department of Finance and Administration  
25 to suspend the motor vehicle registration and driver's license of the motor  
26 vehicle owner for a period not to exceed one (1) year.

27 (c) (1) After filing the affidavit required in subsection (a) of this  
28 section, the motor vehicle owner shall purchase a safety sticker to be placed  
29 in the lower left hand portion of the front windshield on the driver's side in  
30 a place that shall not obstruct the vision of the driver.

31 (2) All safety stickers shall be sold by the Arkansas Development  
32 Finance Authority through the Department of Finance and Administration Revenue  
33 Division.

34 (3) Each safety certificate shall be sold to the motor vehicle  
35 owner at the cost of one dollar and fifty cents (\$1.50).

1           (4) All revenues collected from the sale of safety certificates  
2 shall be remitted to the Arkansas Development Finance Authority and deposited  
3 to the credit of the Prison Construction Trust Fund and shall be used in the  
4 same manner as was provided for the motor vehicle inspection fee under  
5 Arkansas Code 27-32-101 et seq.

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7           SECTION 2. Arkansas Code 22-3-1210(a) is hereby amended to read as  
8 follows:

9           "22-3-1210. Certificates of indebtedness - Public Facilities Debt  
10 Service Fund.

11           (a) The principal of and interest on the certificates of indebtedness  
12 issued under this subchapter shall be secured solely by a lien on and pledge  
13 of:

14                   (1) All revenue derived from payments by the Arkansas Development  
15 Finance Authority pursuant to 22-3-1225(b) which is a portion of the funds  
16 received by the authority from the sale of motor vehicle safety stickers;

17                   (2) All moneys from the sale of or disposition of farm products,  
18 livestock, or other products produced in connection with the agriculture and  
19 livestock activities at any institution under the control of the Board of  
20 Correction or any successor entity, excluding those moneys that may be  
21 accountable from, or the value of, products consumed within the Department of  
22 Correction and from rental of farm properties under the control of the Board  
23 of Correction or any successor entity;

24                   (3) All moneys from the sale or disposition of articles and  
25 products manufactured or produced by prison labor through the operations of  
26 the prison industry program, excluding those moneys that may be accountable  
27 from, or the value of, articles and products used or consumed within the  
28 Department of Correction; and

29                   (4) Fifty percent (50%) of the gross revenue, if any, derived  
30 from the leasing or renting to tenants, other than state agencies, of space in  
31 any new facility constructed or acquired with proceeds of any certificates  
32 issued under this subchapter."

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34           SECTION 3. Arkansas Code 22-3-1225 is hereby amended to read as  
35 follows:

1 "22-3-1225. Prison Construction Trust Fund.

2 (a) The Arkansas Development Finance Authority shall establish in its  
3 records a trust fund to be entitled the Prison Construction Trust Fund. All  
4 moneys derived by or remitted to the authority, from the sale of motor vehicle  
5 safety stickers shall be deposited to the credit of the Prison Construction  
6 Trust Fund. The moneys in the Prison Construction Trust Fund shall not be  
7 general funds or revenues of the authority and shall not be subject to the  
8 claims of the general creditors of the authority.

9 (b) The Arkansas Development Finance Authority shall pay from the  
10 Prison Construction Trust Fund into the Public Facilities Debt Service Fund  
11 created by §§ 19-5-932 and 22-3-1210 the amount necessary, when added to other  
12 funds listed in §22-3-1210, to pay the next-succeeding principal and interest  
13 payment for the certificates of indebtedness, but not to exceed twenty-five  
14 cents (25¢) times the number of motor vehicle safety stickers sold by the  
15 authority through the Department of Finance and Administration Revenue  
16 Division in each six-month period. Such payments shall be made by the  
17 authority semiannually two (2) business days prior to each July 1 and January  
18 1 so long as the certificates of indebtedness permitted by the Public  
19 Facilities Finance Act of 1983 are outstanding. All such payments by the  
20 authority to the Public Facilities Debt Service Fund shall cease when the  
21 certificates of indebtedness have been paid or redeemed.

22 (c) All other funds in the Prison Construction Trust Fund shall be  
23 segregated, held, and used by the Arkansas Development Finance Authority  
24 solely to fund, or to provide for the funding of, the construction and  
25 equipping of:

26 (1) Correction or prison facilities to be used by the Arkansas  
27 Department of Correction;

28 (2) Regional jail facilities operated by the Arkansas Department  
29 of Correction; or

30 (3) Regional jail facilities operated jointly by cities,  
31 counties, or regional jail commissions.

32 (d) The Arkansas Development Finance Authority shall be authorized to  
33 fund or to provide for the funding of facilities described in subdivisions  
34 (c)(1)-(3) of this section by loans, leases, other contracts, or the issuance  
35 of bonds all in accordance with the provisions of the Arkansas Development

1 Finance Authority Act, §§15-5-101 et seq., and to pledge the cash funds  
2 collected by it from the sale of motor vehicle safety stickers and deposited  
3 in the Prison Construction Trust Fund, after payment of the amounts as  
4 specified in subsection (b) of this section to the repayment of any loans,  
5 leases, contracts, or bonds.

6 (e) The Arkansas Development Finance Authority shall not fund or  
7 provide for the funding of any facility described in subsection (c) of this  
8 section to be operated or utilized by the Arkansas Department of Correction  
9 unless the project, the plans therefor, and the construction thereof have been  
10 reviewed and approved by the Arkansas State Building Services. The authority  
11 shall not fund or provide for the funding of any other regional jail facility  
12 not utilized by the Arkansas Department of Correction unless such project is  
13 in compliance with the minimum standards for jail facilities adopted by the  
14 state."

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16 SECTION 4. The Director of the Department of Finance and Administration  
17 shall promulgate such rules and regulations as are necessary for the  
18 enforcement of this act.

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20 SECTION 5. Arkansas Code sections 27-32-101 through 27-32-116,  
21 pertaining to the inspection of motor vehicles, are hereby repealed.

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

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27 SECTION 7. If any provision of this act or the application thereof to  
28 any person or circumstance is held invalid, such invalidity shall not affect  
29 other provisions or applications of the act which can be given effect without  
30 the invalid provision or application, and to this end the provisions of this  
31 act are declared to be severable.

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33 SECTION 8. All laws and parts of laws in conflict with this act are  
34 hereby repealed.

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