

1 **State of Arkansas**
2 **79th General Assembly**
3 **Regular Session, 1993**
4 **By: Representative Hendrix**

A Bill

HOUSE BILL 1833

For An Act To Be Entitled

8 "AN ACT TO AMEND ARKANSAS CODE SECTION 23-13-257 BY
9 CLARIFYING THAT CODE SECTION TO MORE EXPLICITLY PROVIDE
10 THAT CARRIERS AND ANY OTHERS SUSCEPTIBLE TO REGULATIONS,
11 INCLUDING SAFETY REGULATIONS, OF THE ARKANSAS STATE
12 HIGHWAY COMMISSION WHO ARE FOUND IN VIOLATION OF SUCH
13 REGULATIONS SHALL BE DEEMED GUILTY OF A MISDEMEANOR AND
14 UPON CONVICTION SHALL BE FINED NOT MORE THAN FIVE HUNDRED
15 DOLLARS (\$500) FOR THE FIRST OFFENSE AND NOT LESS THAN
16 FIVE HUNDRED DOLLARS (\$500) NOR MORE THAN ONE THOUSAND
17 DOLLARS (\$1,000) FOR ANY SUBSEQUENT OFFENSE; AND FOR OTHER
18 PURPOSES."

Subtitle

21 "TO MORE EXPLICITLY PROVIDE FINE PROVISIONS FOR OPERATORS
22 OF CERTAIN VEHICLES DEEMED GUILTY OF VIOLATING SAFETY
23 REGULATIONS."

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

27 SECTION 1. Arkansas Code Section 23-13-257 is hereby amended to read as
28 follows:

29 "23-13-257. Violations by carriers, shippers, brokers, etc., or
30 employees, agents, etc. - Penalties.

31 Any person, whether carrier, shipper, consignee, or broker, or any
32 officer, employee, agent, or representative thereof who shall knowingly offer,
33 grant, or give or solicit, accept, or receive any rebate, concession, or
34 discrimination in violation of any provision of this subchapter; who by means
35 of any false statement or representation, or by the use of any false or

1 fictitious bill, bill of lading, receipt, voucher, roll, account, claim,
2 certificate, affidavit, deposition, lease, or bill of sale, or by any other
3 means or device shall knowingly and willfully assist, suffer, or permit any
4 persons, natural or artificial, to obtain transportation of passengers or
5 property subject to this subchapter for less than the applicable fare, rate,
6 or charge; or who shall knowingly and willfully by any such means or otherwise
7 fraudulently seek to evade or defeat regulation as in this subchapter provided
8 for motor carriers or brokers; or who shall violate any of the regulations,
9 including safety regulations, prescribed or hereafter prescribed by the
10 Arkansas State Highway Commission pursuant to the provisions of Title 23 of
11 this Code, shall be deemed guilty of a misdemeanor. Upon conviction that
12 person, *unless otherwise provided in this chapter*, shall be fined not more
13 than five hundred dollars (\$500) for the first offense and not less than five
14 hundred dollars (\$500) nor more than one thousand dollars (\$1,000) for any
15 subsequent offense."

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17 SECTION 2. All provisions of this act of a general and permanent nature
18 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code
19 Revision Commission shall incorporate the same in the Code.

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21 SECTION 3. If any provision of this act or the application thereof to
22 any person or circumstance is held invalid, such invalidity shall not affect
23 other provisions or applications of the act which can be given effect without
24 the invalid provision or application, and to this end the provisions of this
25 act are declared to be severable.

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27 SECTION 4. All laws or parts of laws in conflict with this act are
28 hereby repealed.

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/s/B. G. Hendrix

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