

1 **State of Arkansas**
2 **79th General Assembly**
3 **Regular Session, 1993**

A Bill

SENATE BILL 292

4 **By: Senators Edwards and Bell**

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For An Act To Be Entitled

8 "AN ACT TO AMEND ARKANSAS CODE §20-32-105 FOR THE PURPOSES
9 OF AUTHORIZING THE ARKANSAS HIGHWAY POLICE TO CONDUCT
10 SAFETY INSPECTIONS AND INQUIRE INTO THE HISTORY OF SAFETY
11 AND EQUIPMENT REGULATION VIOLATIONS OF VEHICLES
12 TRANSPORTING MEDICAL WASTE; TO DECLARE AN EMERGENCY; AND
13 FOR OTHER PURPOSES."

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Subtitle

16 "AUTHORIZES THE ARKANSAS HIGHWAY POLICE TO CONDUCT SAFETY
17 INSPECTIONS OF VEHICLES TRANSPORTING MEDICAL WASTE."

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

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21 SECTION 1. Arkansas Code §20-32-105 is amended to read as follows:

22 "20-32-105. Authorization to stop vehicles suspected of transporting
23 commercial medical waste.

24 (a) The Arkansas State Police and the enforcement officers of the
25 Arkansas Highway Police Division of the Arkansas State Highway and
26 Transportation Department are hereby authorized to stop vehicles suspected of
27 transporting commercial medical waste to assure that all required permits for
28 transporting the commercial medical waste have been obtained and to enforce
29 all laws and regulations relating to the transportation of commercial medical
30 waste. *The Arkansas State Police are authorized to administer and supervise*
31 *the program of inspection of vehicles, which transport commercial medical*
32 *waste and have a gross vehicle weight rating of less than ten thousand*
33 *(10,000) pounds. The Arkansas State Police shall collect a fee of fifty*
34 *dollars (\$50.00) for each inspection. The fee shall be deposited as special*
35 *revenues to the State Treasury and distributed to the credit of the Arkansas*

1 *State Police Fund to defray the costs of administering and supervising the*
2 *inspection program.*

3 (b) *The enforcement officers of the Arkansas Highway Police Division of*
4 *the Arkansas State Highway and Transportation Department are also authorized*
5 *to conduct vehicle safety inspections of those vehicles transporting or*
6 *intended to be utilized to transport commercial medical waste and to inquire*
7 *into the history of any safety or equipment regulation violations of the*
8 *transporter in any state and to advise the Department of Health of the results*
9 *of such inspections and inquiries."*

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11 *SECTION 2. Any person or carrier, or any officer, employee, agent or*
12 *representative thereof, while operating any vehicle transporting medical waste*
13 *or which is authorized to transport medical waste, who shall violate any of*
14 *the regulations, including safety regulations, prescribed or hereafter*
15 *prescribed by the Arkansas State Highway Commission pursuant to the provisions*
16 *of Title 23 of the Arkansas Code, or who shall violate any regulation of the*
17 *Arkansas Department of Health which specifically relates to the transportation*
18 *of medical waste, shall be deemed guilty of a misdemeanor. Upon conviction,*
19 *that person or carrier, or officer, employee, agent or representative thereof,*
20 *shall be fined not more than five hundred dollars (\$500) for the first offense*
21 *and not less than five hundred dollars (\$500) nor more than one thousand*
22 *dollars (\$1,000) for any subsequent offense.*

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24 *SECTION 3. All provisions of this act of a general and permanent nature*
25 *are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code*
26 *Revision Commission shall incorporate the same in the Code.*

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28 *SECTION 4. If any provision of this act or the application thereof to*
29 *any person or circumstance is held invalid, such invalidity shall not affect*
30 *other provisions or applications of the act which can be given effect without*
31 *the invalid provision or application, and to this end the provisions of this*
32 *act are declared to be severable.*

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34 *SECTION 5. All laws and parts of laws in conflict with this act are*
35 *hereby repealed.*

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SECTION 6. EMERGENCY CLAUSE. It is hereby found and determined by the Seventy-Ninth General Assembly that the amendments contained in this act are necessary in order to protect, not only the safety of the traveling public, but also the safety of the general public of this state, by providing more effective safeguards for the transportation of medical waste in this state. Therefore, an emergency is hereby declared to exist and this act being necessary for the immediate preservation of the public peace, health and safety shall be in full force and effect from and after its passage and approval.

/s/ Senator Edwards

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