

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

1 State of Arkansas  
2 84th General Assembly  
3 Regular Session, 2003

# A Bill

HOUSE BILL 1088

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5 By: Representative Borhauer  
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## For An Act To Be Entitled

9 AN ACT TO AMEND ARKANSAS CODE § 8-6-409 TO MAKE  
10 IT PRIMA FACIE EVIDENCE OF LITTERING IF LITTER  
11 BLOWS OR FALLS ONTO THE ROADWAY FROM THE OPEN BED  
12 OF A PICKUP TRUCK; AND FOR OTHER PURPOSES.  
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## Subtitle

14 TO MAKE IT EVIDENCE OF UNLAWFUL  
15 LITTERING IF LITTER BLOWS OR FALLS ONTO  
16 THE ROAD FROM THE OPEN BED OF A PICKUP  
17 TRUCK.  
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21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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23 SECTION 1. Arkansas Code § 8-6-409 is amended to read as follows:  
24 8-6-409. Prima facie evidence against drivers.

25 (a) If the throwing, dumping, or depositing of litter was done from a  
26 motor vehicle, except a motor bus, it shall be prima facie evidence that the  
27 throwing, dumping, or depositing was done by the driver of the motor vehicle.

28 (b) If the unlawful dropping, depositing, discarding, or otherwise  
29 disposing of the litter occurs from a motor vehicle that is a pickup truck  
30 and the litter blows or drops onto the roadway from the truck's open bed, it  
31 is prima facie evidence that the dropping, depositing, discarding, or other  
32 disposing of the litter was done by the driver of the pickup truck.  
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