

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 1103

4  
5 By: Representative Clemons  
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## For An Act To Be Entitled

9 AN ACT TO REQUIRE HIGHWAY DEPARTMENT EMPLOYEES  
10 AND CONTRACTORS TO MONITOR ALL BARRICADES AND  
11 SIGNS DURING HIGHWAY CONSTRUCTION AND TO ENSURE  
12 THAT ALL TRAFFIC LANES REMAIN CLEAR AND  
13 UNIMPEDED; AND FOR OTHER PURPOSES.  
14

## Subtitle

15 TO REQUIRE HIGHWAY EMPLOYEES AND  
16 CONTRACTORS TO MONITOR BARRICADES AND  
17 SIGNS DURING HIGHWAY CONSTRUCTION TO  
18 ENSURE THAT TRAFFIC LANES REMAIN CLEAR.  
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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 § 27-67-211 is amended to read as follows:  
24 27-67-211. Highway closure during construction.

25 (a)(1) The State Highway Commission shall have full authority to close  
26 any state highway to traffic during such time as the commission may deem it  
27 necessary while work is being done thereon by the commission under the  
28 authority of this chapter or while it is necessary for the protection of the  
29 road during a period of overflow.

30 (2) During the time the road is closed, the commission may  
31 authorize the placing of suitable barricades and signs at each end of the  
32 portion of the road that is closed.

33 (3)(A) If a state highway or highway lanes are closed during a  
34 period of highway construction, the commission shall require that:

35 (i) When employees of the Arkansas State Highway and  
36 Transportation Department are performing the highway construction or repair,



1 the department employees are responsible for monitoring the placement of  
2 barricades and signs and ensuring that traffic may pass unimpeded around or  
3 by the barricades or signs; and

4 (ii) When a contractor is performing the highway  
5 construction or repair, the contractors are responsible for monitoring the  
6 placement of barricades and signs, and ensuring that traffic may pass  
7 unimpeded around or by the barricades or signs.

8 (B) The commission shall require in its contracts for  
9 highway construction that contractors agree to be responsible for monitoring  
10 the placement of any barricades and signs and for ensuring traffic is  
11 unimpeded.

12 (b) Any person who shall remove the barricades or who shall use or  
13 attempt to use any section of a state highway thus closed to traffic shall be  
14 deemed guilty of a misdemeanor. Upon conviction, that person shall be fined  
15 not less than twenty-five dollars (\$25.00) nor more than one hundred dollars  
16 (\$100) and shall be liable to the state for any damage done.

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