

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
4

As Engrossed: H2/19/03

A Bill

HOUSE BILL 1454

5 By: Representatives Thomason, Sullivan, Bond, L. Evans, Childers, Verkamp, Cowling, Bolin, House,
6 Scroggin, *Pate*
7 By: Senators Hill, Bryles
8
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For An Act To Be Entitled

11 *AN ACT TO REPEAL THE REQUIREMENTS FOR ESCORT*
12 *VEHICLES ON OVER-LENGTH LOADS AND TO REPEAL THE*
13 *LAW REQUIRING THE REGULATION AND REGISTRATION OF*
14 *ESCORT VEHICLES; AND FOR OTHER PURPOSES.*

Subtitle

17 *AN ACT TO REPEAL THE REQUIREMENTS FOR*
18 *ESCORT VEHICLES ON OVER-LENGTH LOADS AND*
19 *TO REPEAL THE LAW REQUIRING THE*
20 *REGULATION AND REGISTRATION OF ESCORT*
21 *VEHICLES.*

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24 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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26 SECTION 1. Arkansas Code § 27-35-208(h), concerning escort vehicles
27 required for over-length loads on the streets and highways, is repealed.

28 ~~(h)(1) When any vehicle or a combination of vehicles has a length in~~
29 ~~excess of ninety feet (90'), but no more than one hundred ten feet (110'),~~
30 ~~the vehicle must be escorted by at least one (1) escort vehicle traveling~~
31 ~~behind the over length vehicle.~~

32 ~~(2) When a vehicle or combination of vehicles has a length in~~
33 ~~excess of one hundred ten feet (110'), the vehicle must be accompanied by at~~
34 ~~least two (2) escort vehicles, one (1) to travel in front of the over length~~
35 ~~vehicle and the other to travel in the rear of the over length vehicle.~~
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1 SECTION 2. Arkansas Code § 27-35-113, concerning the regulation and
2 registration of escort vehicles, is repealed.

3 ~~27-35-113. Escort vehicles.~~

4 ~~(a) Any vehicle operating as an escort vehicle for an oversize,~~
5 ~~overweight, hazardous, or other load that is required by law, rule, or~~
6 ~~regulation to be accompanied by one (1) or more escort vehicles shall have a~~
7 ~~current Arkansas escort vehicle registration.~~

8 ~~(b)(1) The State Highway Commission is authorized to issue an annual~~
9 ~~Arkansas escort vehicle registration and to promulgate rules and regulations~~
10 ~~concerning the requirements and the issuance of the registration.~~

11 ~~(2) A ten dollar (\$10.00) fee shall be paid to the commission~~
12 ~~for the issuance of each annual registration, and the fee shall not be~~
13 ~~prorated.~~

14 ~~(3) The registration shall be valid for a period of one (1) year~~
15 ~~after the date of issuance.~~

16 ~~(4) The commission may require an annual decal or other~~
17 ~~identifying markers to be displayed at a designated place on a registered~~
18 ~~escort vehicle.~~

19 ~~(5) The commission may require information deemed necessary on~~
20 ~~an application for registration.~~

21 ~~(c) The Arkansas escort vehicle registration shall be carried at all~~
22 ~~times in the registered vehicle and shall be produced for examination at the~~
23 ~~request of a law enforcement officer.~~

24 ~~(d) Immediately prior to the issuance of an Arkansas escort vehicle~~
25 ~~registration, each vehicle for which an application for registration has been~~
26 ~~submitted must be inspected by the Arkansas Highway Police Division of the~~
27 ~~Arkansas State Highway and Transportation Department to determine whether the~~
28 ~~vehicle is in compliance with the commission's requirements for an escort~~
29 ~~vehicle.~~

30 ~~(e) Any person operating an escort vehicle shall be eighteen (18)~~
31 ~~years of age or older and shall possess a valid driver's license.~~

32 ~~(f)(1) For every vehicle for which registration is sought, proof of~~
33 ~~liability insurance issued by a company licensed to do business in the State~~
34 ~~of Arkansas and in the amount required by the commission must be presented.~~

35 ~~(2) Valid proof of insurance shall be carried in the escort~~
36 ~~vehicle at all times, and it shall be produced at the request of a law~~

1 ~~enforcement officer.~~

2 ~~(g)(1) The owner and driver of a vehicle being operated in violation~~
 3 ~~of any provisions of this section shall be guilty of a violation.~~

4 ~~(2) Any operator who pleads guilty or nolo contendere to or who~~
 5 ~~is found guilty for a third and any successive violation of this section~~
 6 ~~within a twelve month period shall be ineligible to operate in this state a~~
 7 ~~vehicle which has a valid Arkansas escort vehicle registration.~~

8 ~~(3) If the commission determines that any owner, principal, or~~
 9 ~~employer caused or permitted an operator to violate this section, then in~~
 10 ~~addition to any fines assessed, the commission may void any or all current~~
 11 ~~Arkansas escort vehicle registrations issued to any of the vehicles used,~~
 12 ~~owned, operated, or leased for use by that owner, principal, or employer.~~

13 ~~(h) This section shall not repeal § 27-35-306(g).~~

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 15 SECTION 3. EMERGENCY CLAUSE. It is found and determined by the
 16 General Assembly of the State of Arkansas that the economic recession has
 17 created an extremely competitive environment for transporting over-length
 18 loads of manufactured goods and commodities; that requiring two (2) escort
 19 vehicles for over-length loads and imposing additional registration
 20 requirements for escort vehicles increases transportation costs for Arkansas'
 21 manufacturers and shippers; that other provisions of Arkansas law authorize
 22 the Arkansas Highway and Transportation Department to impose escort vehicle
 23 requirements and specify escort vehicle standards when issuing and
 24 administering permits for loads restricted by law; and this act is
 25 immediately necessary because all transportation costs must be kept
 26 competitive to keep jobs in Arkansas. Therefore, an emergency is declared to
 27 exist and this act being immediately necessary for the preservation of the
 28 public peace, health and safety shall become effective on:

29 (1) The date of its approval by the Governor;

30 (2) If the bill is neither approved nor vetoed by the Governor, the
 31 expiration of the period of time during which the Governor may veto the bill;
 32 or

33 (3) If the bill is vetoed by the Governor and the veto is overridden,
 34 the date the last house overrides the veto.

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 36 /s/ Thomason, et al

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