

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

SENATE BILL 29

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5 By: Senator J. Jeffress
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For An Act To Be Entitled

9 AN ACT TO PROHIBIT COUNTIES AND MUNICIPALITIES
10 FROM USING AUTOMATED ENFORCEMENT DEVICES TO
11 ENFORCE TRAFFIC LAWS EXCEPT IN CERTAIN
12 SITUATIONS; AND FOR OTHER PURPOSES.
13

Subtitle

14 TO PROHIBIT COUNTIES AND MUNICIPALITIES
15 FROM USING AUTOMATED ENFORCEMENT DEVICES
16 TO ENFORCE TRAFFIC LAWS EXCEPT IN
17 CERTAIN SITUATIONS.
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21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
22

23 SECTION 1. Arkansas Code Title 14, Chapter 16, Subchapter 1 is amended
24 to add an additional section to read as follows:

25 14-16-117. Automated enforcement prohibited.

26 (a) As used in this section, "automated enforcement" means a system
27 operated by a county government that uses a machine to automatically detect a
28 violation of a traffic law and simultaneously photograph or record an image
29 of the vehicle used in committing the violation, the operator of the vehicle,
30 and the license plate of the vehicle.

31 (b) Except as used under subsection (c) of this section, an automated
32 enforcement device shall not be used by the law enforcement agencies of the
33 county to detect and enforce a violation of the traffic laws and regulations
34 of the State of Arkansas or ordinances of the county.

35 (c)(1) A county government may use an automated enforcement device to
36 detect and enforce a violation of traffic laws and ordinances:



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1 (A) In a school zone; or

2 (B) At a railroad crossing.

3 (2) An automated enforcement device may be used by law
4 enforcement agencies of the county if a certified law enforcement officer is
5 present with the automated enforcement device and the citation is issued to
6 the violator at the time and place of the violation.

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8 SECTION 2. Arkansas Code Title 14, Chapter 54, Subchapter 14 is
9 amended to add an additional section to read as follows:

10 14-54-1412. Automated enforcement prohibited.

11 (a) As used in this section:

12 (1) "Automated enforcement" means a system operated by a
13 municipality that uses a machine to automatically detect a violation of a
14 traffic law and simultaneously photographs or records an image of the vehicle
15 used in committing the violation, the operator of the vehicle, and the
16 license plate of the vehicle; and

17 (2) "Municipality" means a city of the first class, a city of
18 the second class, and an incorporated town.

19 (b) Except as used under subsection (c) of this section, an automated
20 enforcement device shall not be used by the law enforcement agencies of the
21 municipality to detect and enforce a violation of the traffic laws and
22 regulations of the State of Arkansas or ordinances of the municipality.

23 (c)(1) A municipal government may use an automated enforcement device
24 to detect and enforce a violation of traffic laws and ordinances:

25 (A) In a school zone; or

26 (B) At a railroad crossing.

27 (2) An automated enforcement device may be used by law
28 enforcement agencies of the municipality if a certified law enforcement
29 officer is present with the automated enforcement device and the citation is
30 issued to the violator at the time and place of the violation.