

1 State of Arkansas  
2 88th General Assembly  
3 Regular Session, 2011  
4

# A Bill

HOUSE BILL 1842

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

8 AN ACT TO CLARIFY THAT A REGIONAL MOBILITY AUTHORITY  
9 MAY ENTER INTO PUBLIC-PRIVATE PARTNERSHIP AGREEMENTS  
10 FOR RAIL, WATERWAYS, AND TRAIL PROJECTS; AND FOR  
11 OTHER PURPOSES.  
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## Subtitle

14 TO CLARIFY THAT A REGIONAL MOBILITY  
15 AUTHORITY MAY ENTER INTO PUBLIC-PRIVATE  
16 PARTNERSHIP AGREEMENTS FOR RAIL,  
17 WATERWAYS, AND TRAIL PROJECTS.  
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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 § 27-76-103(15), concerning the definition of  
24 "transportation system" under the Regional Mobility Authority Act, is amended  
25 to read as follows:

26 (15) "Transportation system" means infrastructure that provides  
27 mobility for people or goods in a region, including without limitation:

- 28 (A) Roads;
- 29 (B) Streets;
- 30 (C) Highways;
- 31 (D) Bridges;
- 32 (E) Tunnels;
- 33 (F) Sidewalks;
- 34 (G) Bicycle paths;
- 35 (H) Trails;
- 36 ~~(H)~~(I) Toll facilities;



- 1                   ~~(I)~~(J) Pedestrian ways;
- 2                   ~~(J)~~(K) Intermodal facilities;
- 3                   ~~(K)~~(L) Port authorities;
- 4                   (M) Waterways;
- 5                   ~~(L)~~(N) Railroads ~~that are ninety nine percent (99%)~~
- 6 publicly owned;
- 7                   ~~(M)~~(O) Parking facilities;
- 8                   ~~(N)~~(P) Public transit systems;
- 9                   ~~(O)~~(Q) Traveler information systems;
- 10                  ~~(P)~~(R) Intelligent transportation systems;
- 11                  ~~(Q)~~(S) Traffic management systems;
- 12                  ~~(R)~~(T) Traffic signal systems;
- 13                  ~~(S)~~(U) Safety improvements; or
- 14                  ~~(T)~~(V) Any other means of surface or water transportation.

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 16                 SECTION 2. Arkansas Code § 27-76-403(b), concerning the authority of  
 17 regional mobility authorities to contract, is amended to read as follows:

18                 (b) The types of agreements or contracts that a regional mobility  
 19 authority may enter into under this chapter include without limitation:

- 20                   (1) Lease agreements;
- 21                   (2) Rental agreements;
- 22                   (3) Operating agreements;
- 23                   (4) Service agreements;
- 24                   (5) License agreements;
- 25                   (6) Promotional agreements; ~~and~~
- 26                   (7) Purchasing agreements; and
- 27                   (8) Public-private partnership agreements for transportation
- 28 projects concerning rail, waterway, or trail.

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 30                 SECTION 3. Arkansas Code § 27-76-106, regarding immunity of regional  
 31 mobility authorities, is amended to add an additional subsection to read as  
 32 follows:

33                 (c) A regional mobility authority is not immune from suit in contract  
 34 if the contract arises from the performance of duties authorized by law.

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