

1 State of Arkansas
2 92nd General Assembly
3 Regular Session, 2019
4

As Engrossed: H2/21/19

A Bill

HOUSE BILL 1497

5 By: Representative Vaught
6

For An Act To Be Entitled

8 AN ACT CREATING CIVIL IMMUNITY FOR OWNERS OF STOLEN
9 AGRICULTURAL EQUIPMENT OR AN OFF-ROAD VEHICLE WHEN AN
10 OFFENSE IS COMMITTED BY ANOTHER PERSON WHO STEALS THE
11 OWNER'S AGRICULTURAL EQUIPMENT OR OTHER OFF-ROAD
12 VEHICLE; AND FOR OTHER *PURPOSES*.
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Subtitle

15 CREATING CIVIL IMMUNITY FOR OWNERS OF
16 STOLEN AGRICULTURAL EQUIPMENT OR AN OFF-
17 ROAD VEHICLE WHEN AN OFFENSE IS COMMITTED
18 BY ANOTHER PERSON WHO STEALS THE OWNER'S
19 AGRICULTURAL EQUIPMENT OR OTHER OFF-ROAD
20 VEHICLE.
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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 Title 16, Chapter 120, Subchapter 8, is
27 amended to add an additional section to read as follows:

28 16-120-803. Immunity for owners of stolen agricultural equipment or
29 off-road vehicles.

30 (a)(1) As used in this section, "agricultural equipment or off-road
31 vehicle" means a self-propelled motorized vehicle that is not designed to
32 operate on a roadway but may be used for an agricultural or recreational
33 purpose.

34 (2) "Agricultural equipment or off-road vehicle" includes:

35 (A) An all-terrain vehicle as defined in § 27-21-102;

36 (B) A vehicle designed to be used for agricultural



1 purposes, such as a tractor; and

2 (C) A riding lawnmower.

3 (3) "Agricultural equipment or off-road vehicle" does not
4 include:

5 (A) A motor vehicle designed and used for a medical
6 purpose;

7 (B) A motor vehicle designed to be used by an individual
8 with a physical disability to assist in walking;

9 (C) A motorized scooter or other vehicle designed to be
10 used as a toy by a child;

11 (D) A bicycle equipped with a small motor designed and
12 used to assist the bicycle operator and that is not operated at a speed of
13 greater than twenty miles per hour (20 m.p.h.);

14 (E) An electric personal assistive mobility device that is
15 designed to not be capable of a speed of more than twenty miles per hour (20
16 m.p.h.); or

17 (F) A device moved by human power or used exclusively upon
18 stationary rails or tracks.

19 (b) An owner of agricultural equipment or an off-road vehicle that is
20 stolen or unlawfully appropriated by another person who commits a criminal
21 offense using the agricultural equipment or off-road vehicle is not liable in
22 a civil action for damages, injuries, or death resulting from or arising out
23 of the use of the agricultural equipment or off-road vehicle in the
24 commission of the criminal offense.

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26 */s/Vaught*

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29 **APPROVED: 3/19/19**