

1 **State of Arkansas**  
2 **79th General Assembly**  
3 **Regular Session, 1993**  
4 **By: Representative Hendrix**

# **A Bill**

**ACT 1023 OF 1993**  
**HOUSE BILL 1833**

## **For An Act To Be Entitled**

8 "AN ACT TO AMEND ARKANSAS CODE SECTION 23-13-257 BY  
9 CLARIFYING THAT CODE SECTION TO MORE EXPLICITLY PROVIDE  
10 THAT CARRIERS AND ANY OTHERS SUSCEPTIBLE TO REGULATIONS,  
11 INCLUDING SAFETY REGULATIONS, OF THE ARKANSAS STATE  
12 HIGHWAY COMMISSION WHO ARE FOUND IN VIOLATION OF SUCH  
13 REGULATIONS SHALL BE DEEMED GUILTY OF A MISDEMEANOR AND  
14 UPON CONVICTION SHALL BE FINED NOT MORE THAN FIVE HUNDRED  
15 DOLLARS (\$500) FOR THE FIRST OFFENSE AND NOT LESS THAN  
16 FIVE HUNDRED DOLLARS (\$500) NOR MORE THAN ONE THOUSAND  
17 DOLLARS (\$1,000) FOR ANY SUBSEQUENT OFFENSE; AND FOR OTHER  
18 PURPOSES."

## **Subtitle**

21 "TO MORE EXPLICITLY PROVIDE FINE PROVISIONS FOR OPERATORS  
22 OF CERTAIN VEHICLES DEEMED GUILTY OF VIOLATING SAFETY  
23 REGULATIONS."

25 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

27 SECTION 1. Arkansas Code Section 23-13-257 is hereby amended to read as  
28 follows:

29 "23-13-257. Violations by carriers, shippers, brokers, etc., or  
30 employees, agents, etc. - Penalties.

31 Any person, whether carrier, shipper, consignee, or broker, or any  
32 officer, employee, agent, or representative thereof who shall knowingly offer,  
33 grant, or give or solicit, accept, or receive any rebate, concession, or  
34 discrimination in violation of any provision of this subchapter; who by means  
35 of any false statement or representation, or by the use of any false or  
36 fictitious bill, bill of lading, receipt, voucher, roll, account, claim,

1 certificate, affidavit, deposition, lease, or bill of sale, or by any other  
2 means or device shall knowingly and willfully assist, suffer, or permit any  
3 persons, natural or artificial, to obtain transportation of passengers or  
4 property subject to this subchapter for less than the applicable fare, rate,  
5 or charge; or who shall knowingly and willfully by any such means or otherwise  
6 fraudulently seek to evade or defeat regulation as in this subchapter provided  
7 for motor carriers or brokers; or who shall violate any of the regulations,  
8 including safety regulations, prescribed or hereafter prescribed by the  
9 Arkansas State Highway Commission pursuant to the provisions of Title 23 of  
10 this Code, shall be deemed guilty of a misdemeanor. Upon conviction that  
11 person, *unless otherwise provided in this chapter*, shall be fined not more  
12 than five hundred dollars (\$500) for the first offense and not less than five  
13 hundred dollars (\$500) nor more than one thousand dollars (\$1,000) for any  
14 subsequent offense."

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16 SECTION 2. All provisions of this act of a general and permanent nature  
17 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code  
18 Revision Commission shall incorporate the same in the Code.

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20 SECTION 3. If any provision of this act or the application thereof to  
21 any person or circumstance is held invalid, such invalidity shall not affect  
22 other provisions or applications of the act which can be given effect without  
23 the invalid provision or application, and to this end the provisions of this  
24 act are declared to be severable.

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26 SECTION 4. All laws or parts of laws in conflict with this act are  
27 hereby repealed.

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*/s/B. G. Hendrix*

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APPROVED: 4/12/93