

1 **State of Arkansas**
2 **79th General Assembly**
3 **Regular Session, 1993**

A Bill

ACT 132 OF 1993
HOUSE BILL 1120

4 **By: Representatives Parkerson and K. Wood**

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For An Act To Be Entitled

8 "AN ACT TO AMEND ARK. CODE ANN. § 5-65-202(a)(3) TO
9 PROVIDE THAT A PERSON SHALL BE DEEMED TO HAVE GIVEN
10 CONSENT TO A CHEMICAL TEST OF HIS BLOOD, BREATH, OR URINE
11 FOR THE PURPOSE OF DETERMINING THE ALCOHOL OR CONTROLLED
12 SUBSTANCE CONTENT OF HIS OR HER BLOOD IF, AT THE TIME THE
13 PERSON IS ARRESTED FOR DWI, THE LAW ENFORCEMENT OFFICER
14 HAS REASONABLE CAUSE TO BELIEVE THAT THE PERSON, WHILE
15 OPERATING OR IN ACTUAL PHYSICAL CONTROL OF A MOTOR
16 VEHICLE, IS INTOXICATED OR HAS ONE-TENTH OF ONE PERCENT
17 (0.10%) OR MORE OF ALCOHOL IN HIS OR HER BLOOD; AND FOR
18 OTHER PURPOSES."

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Subtitle

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**"AN ACT TO AMEND ARK. CODE ANN. § 5-65-202(a)(3) TO
BROADEN THE IMPLIED CONSENT PROVISION OF THE
DWI STATUTE."**

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

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SECTION 1. Ark. Code Ann § 5-65-202(a)(3) is amended to read as follows:

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**"(3) At the time the person is arrested for DWI, the law enforcement officer has
reasonable cause to believe that the person, while operating or in actual physical control of a
motor vehicle, is intoxicated or has one-tenth of one percent (0.10%) or more of alcohol in his
or her blood."**

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

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