

Stricken language would be deleted from present law. Underlined language would be added to present law.

1 State of Arkansas
2 81st General Assembly
3 Regular Session, 1997

A Bill

ACT 381 OF 1997
HOUSE BILL 1265

4
5 By: Representative Pollan
6
7

For An Act To Be Entitled

8
9 "AN ACT TO AMEND ARKANSAS CODE ANNOTATED § 17-50-1202(1) TO
10 GIVE LAW ENFORCEMENT OFFICERS MORE DISCRETION IN REMOVING
11 ABANDONED VEHICLES FROM RIGHTS-OF-WAY WHICH ARE CREATING
12 SUBSTANTIAL HAZARDS; AND FOR OTHER PURPOSES."
13

Subtitle

14
15 "TO GIVE LAW ENFORCEMENT OFFICERS MORE
16 DISCRETION IN REMOVING ABANDONED
17 VEHICLES FROM RIGHTS-OF-WAY WHICH ARE
18 CREATING SUBSTANTIAL HAZARDS"
19

20 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
21

22 SECTION 1. Arkansas Code Annotated § 27-50-1202(1) is amended to read
23 as follows:

24 "(1) Unattended means any vehicle left on public property without the
25 consent of an authority in charge of such property or on or near a public way
26 without some person, gratuitous bailee, or bailee for hire in possession of
27 such vehicle; and

28 (A) Which vehicle is located within a distance of three (3) feet
29 of the traveled surface of the public way; or

30 (B) Which vehicle is located at a distance of three (3) or more
31 feet of the traveled surface of the public way for a period of ~~seventy-two~~
32 ~~(72)~~ twelve (12) hours or more; or

33 (C) Which vehicle remains not in the custody of some responsible
34 person following an accident where the operator has been removed to a hospital
35 or is otherwise unable to make personal arrangements for the vehicle's care;
36 or

1 (D) Which vehicle was operated to a place of apprehension by law
2 enforcement under police power, the operator thereof removed from the vehicle
3 and taken into police custody; or

4 (E) Which vehicle is located upon any public right of way, and
5 due to geographic location, traffic density, or climatic conditions, creates a
6 substantial hazard to the motoring public, as determined by a law enforcement
7 officer."

8

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

12

13 SECTION 3. If any provision of this act or the application thereof to
14 any person or circumstance is held invalid, such invalidity shall not affect
15 other provisions or applications of the act which can be given effect without
16 the invalid provision or application, and to this end the provisions of this
17 act are declared to be severable.

18

19 SECTION 4. All laws and parts of laws in conflict with this act are
20 hereby repealed.

21

22 APPROVED:3-06-97

23

24

25

26

27

28

29

30

31

32

33

34

35