

Act 651 of the 1989 Regular Session.

Act 651

HB1489

By: Representative Hawkins

"AN ACT TO AMEND ARKANSAS CODE 17-33-103 (a) TO EXEMPT REGISTERED ENGINEERS PERFORMING ACCIDENT RECONSTRUCTION WORK FROM LICENSURE OR REGISTRATION UNDER THE PRIVATE INVESTIGATORS AND PRIVATE SECURITY AGENCIES ACT; TO AMEND ARKANSAS CODE 17-33-102 TO DEFINE 'ACCIDENT RECONSTRUCTION'; AND FOR OTHER PURPOSES."

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

SECTION 1. Arkansas Code 17-33-102 is hereby amended by adding a new subdivision to read as follows:

"(21) 'Accident reconstruction' means the interpretation of physical evidence in the application of scientific principles to form opinions relative to the events of an accident."

SECTION 2. Arkansas Code 17-33-103 (a) is hereby amended to read as follows:

17-33-103. Exemptions.

(a) This chapter does not apply to:

(1) A person employed exclusively and regularly by one (1) employer in connection with the affairs of that employer only and where there exists an employer-employee relationship;

(2) An officer or employee of the United States of America, of this state, or of a political subdivision of either, while the employee or officer is engaged in the performance of official duties;

(3) A person who has part-time or full-time employment as a law enforcement officer and who is certified by the State of Arkansas Commission on Law Enforcement Standards and Training as a law enforcement officer and receives compensation for private employment on an individual or an independent contractor basis as a patrolman, guard, or watchman if the person is:

(A) Employed in an employee-employer relationship; or

(B) Employed on an individual contractual basis; and

(C) Not in the employ of another law enforcement officer;

(4) A person engaged exclusively in the business of obtaining and furnishing information for purposes of credit worthiness or collecting debts or ascertaining the financial responsibility of applicants for property insurance and for indemnity or surety bonds, with respect to persons, firms, and corporations;

(5) Consumer reporting agencies as defined in 15 U.S.C. 1681 et seq.;

(6) An attorney at law in performing his duties;

(7) Admitted insurers, insurance adjusters, agents, and insurance brokers licensed by the state performing duties in connection with insurance transacted by them;

(8) An officer, employee, or agent of a communications common carrier, as defined in 47 U.S.C. 153(h), while engaged in the normal course of business of the carrier or protecting the carrier or a user of the services of that carrier from fraudulent, unlawful, or abusive use of services;

(9) A professional engineer registered with the Arkansas Board of Professional Engineers and Land Surveyors engaged exclusively in the business of accident reconstruction."

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.

SECTION 3. All laws and parts of laws in conflict with this Act are hereby repealed.

APPROVED: March 17, 1989

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