

Stricken language would be deleted from and underlined language would be added to law as it existed prior to the 82nd General Assembly.

1 State of Arkansas  
2 82nd General Assembly  
3 Regular Session, 1999  
4

# A Bill

Act 1199 of 1999  
SENATE BILL 664

5 By: Senator Argue  
6  
7

## For An Act To Be Entitled

9 "AN ACT TO AMEND ARKANSAS CODE 27-49-106 TO PROVIDE  
10 LOCAL AUTHORITIES THE ABILITY TO LIMIT ACCESS TO  
11 PARKING AT DESIGNATED TIMES IN RESIDENTIAL AREAS; AND  
12 FOR OTHER PURPOSES."  
13

## Subtitle

14 "TO PROVIDE LOCAL AUTHORITIES THE ABILITY  
15 TO LIMIT ACCESS TO PARKING AT DESIGNATED  
16 TIMES IN RESIDENTIAL AREAS."  
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20 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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22 SECTION 1. Arkansas Code 27-49-106 is amended to read as follows:  
23 "27-49-106. Powers of local authorities.

24 (a)(1) No local authority shall enact or enforce any rule or regulation  
25 in conflict with the provisions of this subtitle unless expressly authorized  
26 in this subtitle.

27 (2) Local authorities may, however, adopt additional traffic  
28 regulations which are not in conflict with the provisions of this subtitle.

29 (3) Local authorities may enact and enforce traffic rules and  
30 regulations which are not in conflict with the provisions of this subtitle for  
31 private roadways, but only after being granted express permission by the owner  
32 of the private roadway within the planned community.

33 (b) The provisions of this subtitle shall not be deemed to prevent  
34 local authorities with respect to streets and highways under their  
35 jurisdiction and within the reasonable exercise of the police power from:

36 (1) Regulating the standing or parking of vehicles, including the

1 ability to establish districts for the purpose of limiting the time, place and  
2 manner of public parking in designated areas;

3 (2) Regulating traffic by means of police officers or traffic  
4 control signals;

5 (3) Regulating or prohibiting processions or assemblages on the  
6 highways;

7 (4) Designating particular highways as one-way highways and  
8 requiring that all vehicles thereon be moved in one specific direction;

9 (5) Regulating the speed of vehicles in public parks;

10 (6) Designating any highway as a through highway and requiring  
11 that all vehicles stop before entering or crossing it, or designating any  
12 intersection as a stop intersection and requiring all vehicles to stop at one  
13 (1) or more entrances to such intersections;

14 (7) Restricting the use of highways as authorized in §§ 27-35-101  
15 - 27-35-111;

16 (8) Regulating or prohibiting the traffic from and use of mopeds,  
17 three-wheeled vehicles, and other similar vehicles.

18 (c) No ordinance or regulation enacted under subdivision (b)(1), (4),  
19 (5), (6), or (7) of this section shall be effective until signs giving notice  
20 of local traffic regulations are posted upon or at the entrances to the  
21 highways, or parts affected, as may be most appropriate.

22 (d) No provision of this subtitle or other state traffic laws or any  
23 local traffic ordinance or regulation enacted under authority of subdivision  
24 (a)(3) of this section shall be effective on a private roadway of a planned  
25 community until signs giving notice of the owner's grant of permission to  
26 enforce those state and local traffic regulations are posted upon or at the  
27 entrances to the planned community's private roadways, or parts thereof,  
28 affected."

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

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34 SECTION 3. If any provision of this act or the application thereof to  
35 any person or circumstance is held invalid, such invalidity shall not affect  
36 other provisions or applications of the act which can be given effect without

1 the invalid provision or application, and to this end the provisions of this  
2 act are declared to be severable.

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

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8 APPROVED: 4/7/1999  
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