

1 State of Arkansas
2 88th General Assembly
3 Regular Session, 2011
4

A Bill

HOUSE BILL 1842

5 By: Representative Barnett
6

For An Act To Be Entitled

8 AN ACT TO CLARIFY THAT A REGIONAL MOBILITY AUTHORITY
9 MAY ENTER INTO PUBLIC-PRIVATE PARTNERSHIP AGREEMENTS
10 FOR RAIL, WATERWAYS, AND TRAIL PROJECTS; AND FOR
11 OTHER PURPOSES.
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Subtitle

14 TO CLARIFY THAT A REGIONAL MOBILITY
15 AUTHORITY MAY ENTER INTO PUBLIC-PRIVATE
16 PARTNERSHIP AGREEMENTS FOR RAIL,
17 WATERWAYS, AND TRAIL PROJECTS.
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21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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23 SECTION 1. Arkansas Code § 27-76-103(15), concerning the definition of
24 "transportation system" under the Regional Mobility Authority Act, is amended
25 to read as follows:

26 (15) "Transportation system" means infrastructure that provides
27 mobility for people or goods in a region, including without limitation:

- 28 (A) Roads;
- 29 (B) Streets;
- 30 (C) Highways;
- 31 (D) Bridges;
- 32 (E) Tunnels;
- 33 (F) Sidewalks;
- 34 (G) Bicycle paths;
- 35 (H) Trails;
- 36 ~~(H)~~(I) Toll facilities;



- 1 ~~(I)~~(J) Pedestrian ways;
- 2 ~~(J)~~(K) Intermodal facilities;
- 3 ~~(K)~~(L) Port authorities;
- 4 (M) Waterways;
- 5 ~~(L)~~(N) Railroads ~~that are ninety nine percent (99%)~~
- 6 publicly owned;
- 7 ~~(M)~~(O) Parking facilities;
- 8 ~~(N)~~(P) Public transit systems;
- 9 ~~(O)~~(Q) Traveler information systems;
- 10 ~~(P)~~(R) Intelligent transportation systems;
- 11 ~~(Q)~~(S) Traffic management systems;
- 12 ~~(R)~~(T) Traffic signal systems;
- 13 ~~(S)~~(U) Safety improvements; or
- 14 ~~(T)~~(V) Any other means of surface or water transportation.

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 16 SECTION 2. Arkansas Code § 27-76-403(b), concerning the authority of
 17 regional mobility authorities to contract, is amended to read as follows:

18 (b) The types of agreements or contracts that a regional mobility
 19 authority may enter into under this chapter include without limitation:

- 20 (1) Lease agreements;
- 21 (2) Rental agreements;
- 22 (3) Operating agreements;
- 23 (4) Service agreements;
- 24 (5) License agreements;
- 25 (6) Promotional agreements; ~~and~~
- 26 (7) Purchasing agreements; and
- 27 (8) Public-private partnership agreements for transportation
- 28 projects concerning rail, waterway, or trail.

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 30 SECTION 3. Arkansas Code § 27-76-106, regarding immunity of regional
 31 mobility authorities, is amended to add an additional subsection to read as
 32 follows:

33 (c) A regional mobility authority is not immune from suit in contract
 34 if the contract arises from the performance of duties authorized by law.

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 36 **APPROVED: 03/21/2011**