

Hall of the House of Representatives
87th General Assembly - Regular Session, 2009
Amendment Form

Subtitle of House Bill No. 2125

"TO ALLOW LAW ENFORCEMENT TO IMPOUND A MOTOR VEHICLE THAT DOES
NOT HAVE THE MINIMUM LIABILITY INSURANCE REQUIRED BY LAW OR A
CERTIFICATE OF SELF-INSURANCE."

Amendment No. 2 to House Bill No. 2125.

Amend House Bill No. 2125 as originally introduced:

Page 2, delete lines 17 through 21 and substitute:

"proof of insurance coverage as required in subsection (a) of this section, the motor vehicle may be impounded at the officer's discretion if one (1) or more of the following occur:

- (i) The officer issues a citation for a serious traffic violation to include without limitation:
 - (a) Driving fifteen miles per hour (15 m.p.h.) or more than the posted speed;
 - (b) Reckless, hazardous, careless, negligent, or unsafe driving;
 - (c) Leaving the scene of an accident; or
 - (d) Racing on a highway.
- (ii) The driver is known by the officer to be a person who is a repeat violator of this section; or
- (iii) The motor vehicle is being operated:
 - (a) Without a license plate in violation of § 27-14-304;
 - (b) With an unofficial license plate in violation of § 27-14-305;
 - (c) With improper use of evidence of registration in violation of § 27-14-306; or
 - (d) With false evidences of title or registration in violation of § 27-14-307."

AND

Page 2, delete lines 22 and 23 and substitute:

"(B) An inventory of the contents of the motor vehicle



shall be taken if a motor vehicle is impounded under this subsection.

(C) If a motor vehicle is impounded under this subdivision (c)(2), the owner is responsible for the costs of the impoundment and § 27-50-1201 et seq. regarding the towing and storage of motor vehicles shall apply.

(D)(i) If the Department of Arkansas State Police is the law enforcement agency that impounds the motor vehicle under this section, the department shall use its towing rotation list and the rules related to the towing rotation list.

(ii) If a sheriff's office or other law enforcement agency impounds the motor vehicle under this section, the office or agency shall use its towing rotation list and any policies or rules related to the towing rotation list if applicable."

AND

Page 2, line 24, delete "(C)(i)" and substitute "(D)(i)"

The Amendment was read _____

By: Representative J. Roebuck

JSE/JSE - 03-27-2009 15:00

JSE310

Chief Clerk