

1 State of Arkansas  
2 89th General Assembly  
3 Regular Session, 2013  
4

As Engrossed: S3/20/13

# A Bill

SENATE BILL 1023

5 By: Senator K. Ingram  
6

## For An Act To Be Entitled

8 AN ACT TO MAKE ARKANSAS HIGHWAYS SAFER BY PROVIDING  
9 FOR THE COMMERCIAL TRUCK SAFETY AND EDUCATION FUND;  
10 TO PROVIDE SPECIAL REVENUES FOR THE FUND; AND FOR  
11 OTHER PURPOSES.  
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### Subtitle

14 TO ESTABLISH THE COMMERCIAL TRUCK SAFETY  
15 AND EDUCATION FUND; AND TO PROVIDE  
16 SPECIAL REVENUES FOR THE FUND.  
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20 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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22 SECTION 1. DO NOT CODIFY. Legislative findings and intent.

23 The General Assembly finds that:

24 (1) There are no programs jointly involving the trucking  
25 industry and the Arkansas State Highway and Transportation Department to  
26 ensure improved commercial truck safety on state highways. Furthermore, no  
27 studies exist on ways to improve the efficiencies of freight movement that  
28 could improve highway safety;

29 (2) Dedicating funding for these purposes could enable the  
30 industry and state government to create such programs. Additionally, the  
31 industry and the department could benefit from research specific to freight  
32 movement, regulatory compliance, education, and training; and

33 (3) The purpose of this act is to advance state interests in  
34 roadway safety by proposing to improve the safety of the commercial truck  
35 industry through cooperative public private programs that focus on increased  
36 enforcement, regulatory compliance, industry training, and educational



1 programs to ensure the safe movement of goods on Arkansas highways.

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3 SECTION 2. Arkansas Code Title 19, Chapter 6, Subchapter 8, is amended  
4 to add an additional section to read as follows:

5 19-6-819. Commercial Truck Safety and Education Fund.

6 (a) There is created on the books of the Treasurer of State, Auditor  
7 of State, and Chief Fiscal Officer of the State, a special revenue fund to be  
8 known as the "Commercial Truck Safety and Education Fund".

9 (b)(1) Beginning October 1, 2013, the first two million dollars  
10 (\$2,000,000) of the fee charged under § 27-14-601(a)(3)(G)(ii) for the fiscal  
11 year ending June 30, 2014, shall be deposited into the State Treasury to the  
12 credit of the fund as special revenues.

13 (2) Beginning July 1, 2014, the first two million dollars  
14 (\$2,000,000) per fiscal year of the fee charged under § 27-14-  
15 601(a)(3)(G)(ii) shall be deposited into the State Treasury to the credit of  
16 the fund as special revenues.

17 (3) The fund shall also consist of any other revenues as may be  
18 authorized by law.

19 (c) The fund shall be used by the Arkansas State Highway and  
20 Transportation Department to improve the safety of the commercial truck  
21 industry through cooperative public private programs that focus on increased  
22 enforcement, regulatory compliance, industry training, and educational  
23 programs to ensure the safe movement of goods on state highways.

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25 SECTION 3. Arkansas Code § 27-14-601(a)(3)(G)(ii), concerning fees for  
26 registration and licensing of motor vehicles, is amended to read as follows:

27 (ii)(a) On all such vehicles with a gross loaded  
28 weight between seventy-three thousand, two hundred eighty-one pounds (73,281  
29 lbs.) and eighty thousand pounds (80,000 lbs.), the fee to be charged shall  
30 be one thousand three hundred fifty dollars (\$1,350)†.

31 (b) In addition to the fee set forth in  
32 subdivision (a)(3)(G)(ii)(a) of this section and on all vehicles registered  
33 with the International Registration Plan to be engaged in interstate commerce  
34 with a gross loaded weight between seventy-three thousand, two hundred  
35 eighty-one pounds (73,281 lbs.) and eighty thousand pounds (80,000 lbs.), an  
36 additional fee to be fifteen percent (15%) of the amount charged in

1 subdivision (a)(3)(G)(ii)(a) of this section;

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3 SECTION 4. Arkansas Code § 27-14-601(d), concerning fees for  
4 registration and licensing of motor vehicles, is amended to read as follows:

5 (d)(1) All taxes, fees, penalties, interest, and other amounts  
6 collected under the provisions of this section, ~~with the exception of that~~  
7 ~~portion of the fee declared to be a permit fee and collected pursuant to~~  
8 ~~subdivision (a)(3)(H)(ii)(f) of this section~~ except those set forth in  
9 subdivision (d)(3) of this section, shall be classified as special revenues  
10 and shall be deposited in the State Treasury. After deducting the amount to  
11 be credited to the Constitutional Officers Fund and the State Central  
12 Services Fund as provided under the Revenue Stabilization Law, § 19-5-101 et  
13 seq., the Treasurer of State shall transfer on the last business day of each  
14 month:

15 (A) Fifteen percent (15%) of the amount thereof to the  
16 County Aid Fund;

17 (B) Fifteen percent (15%) of the amount thereof to the  
18 Municipal Aid Fund; and

19 (C) Seventy percent (70%) of the amount thereof to the  
20 State Highway and Transportation Department Fund.

21 (2) The funds shall be further disbursed in the same manner and  
22 used for the same purposes as set out in the Arkansas Highway Revenue  
23 Distribution Law, § 27-70-201 et seq.

24 (3)(A) The following shall be excepted from the requirements of  
25 subdivision (d)(1) of this section:

26 (i) Beginning October 1, 2013, the first two million  
27 dollars (\$2,000,000) of the fee charged under subdivision (a)(3)(G)(ii) of  
28 this section for the fiscal year ending June 30, 2014;

29 (ii) Beginning July 1, 2014, the first two million  
30 dollars (\$2,000,000) per fiscal year of the fee charged under subdivision  
31 (a)(3)(G)(ii) of this section; and

32 (iii) That portion of the fee declared to be a  
33 permit fee and collected under subdivision (a)(3)(H)(ii)(f) of this section.

34 (B)(i) Beginning October 1, 2013, the first two million  
35 dollars (\$2,000,000) of the fee charged under subdivision (a)(3)(G)(ii) of  
36 this section for the fiscal year ending June 30, 2014, shall be classified as

1 special revenues and shall be deposited in the State Treasury.

2 (ii) Beginning July 1, 2014, the first two million  
3 dollars (\$2,000,000) per fiscal year of the fee charged under subdivision  
4 (a)(3)(G)(ii) of this section shall be classified as special revenues and  
5 shall be deposited in the State Treasury.

6 (iii) The Treasurer of State shall transfer on the  
7 last business day of each month all money paid under this subdivision  
8 (d)(3)(B) to the Commercial Truck Safety and Education Fund to be used to  
9 improve the safety of the commercial trucking industry through cooperative  
10 public and private programs that focus on increased enforcement, regulatory  
11 compliance, industry training, and educational programs to ensure the safe  
12 movement of goods on state highways.

13 (4) That portion of the annual license fee collected pursuant to  
14 subdivision (a)(3)(H)(ii)(f) of this section declared to be a permit fee  
15 shall be classified as special revenues and shall be deposited in the State  
16 Treasury. The Treasurer of State shall transfer on the last business day of  
17 each month all of such portions of such annual license fees to the State  
18 Highway and Transportation Department Fund to be utilized for the  
19 construction, reconstruction, and maintenance of highways and bridges in the  
20 state highway system.

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22 SECTION 5. EFFECTIVE DATE. This Act becomes effective on October 1,  
23 2013.

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25 /s/K. Ingram  
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