

1 State of Arkansas  
2 91st General Assembly  
3 Regular Session, 2017  
4

# A Bill

HOUSE BILL 1657

5 By: Representative Gazaway  
6

## For An Act To Be Entitled

8 AN ACT TO MAKE LEGISLATIVE CORRECTIONS AND TO REPEAL  
9 OBSOLETE LAWS FOUND IN TITLE 27 OF THE ARKANSAS CODE;  
10 AND FOR OTHER PURPOSES.  
11

## Subtitle

12  
13 TO MAKE LEGISLATIVE CORRECTIONS AND TO  
14 REPEAL OBSOLETE LAWS FOUND IN TITLE 27 OF  
15 THE ARKANSAS CODE.  
16  
17  
18

19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
20

21 SECTION 1. Arkansas Code § 27-14-405 – 27-14-407 are amended to  
22 correct obsolete references to read as follows:

23 The ~~Commissioner of Motor Vehicles~~ Director of the Department of  
24 Finance and Administration and ~~such~~ the officers and inspectors of the Office  
25 of Motor Vehicle ~~as he or she shall designate~~ designated by the director  
26 shall have the power:

27 (1) ~~Of peace officers for the purpose of enforcing the~~  
28 ~~provisions of this chapter and of any other law regulating the operation of~~  
29 ~~vehicles or the use of the highways;~~

30 (2) ~~To make arrests upon view and without warrant for any~~  
31 ~~violation committed in their presence of any of the provisions of this~~  
32 ~~chapter or other law regulating the operation of vehicles or the use of the~~  
33 ~~highways;~~

34 (3) ~~When on duty, upon reasonable belief that any vehicle is~~  
35 ~~being operated in violation of any provision of this chapter or of any other~~  
36 ~~law regulating the operation of vehicles, to require the driver thereof to~~



~~1 stop and exhibit his or her driver's or chauffeur's license and the  
2 registration certificate issued for the vehicle and submit to an inspection  
3 of the vehicle, the registration plates, and registration certificate thereon  
4 or to an inspection and test of the equipment of the vehicle;~~

5           ~~(4)~~ To inspect any vehicle of a type required to be registered  
6 under this chapter in any public garage or repair shop or in any place where  
7 such vehicles are held for sale or wrecking, for the purpose of locating  
8 stolen vehicles and investigating the title and registration ~~thereof~~ of these  
9 stolen vehicles;

10           ~~(5)~~(2) To serve warrants relating to the enforcement of the laws  
11 regulating the operation of vehicles or the use of the highways; and

12           ~~(6)~~(3) To investigate reported thefts of motor vehicles,  
13 trailers, and semitrailers.

14  
15           27-14-406. Authority to take possession.

16           ~~(a)~~ The Office of Motor Vehicle is authorized to take possession of  
17 any certificate of title, registration certificate, permit, license, or  
18 registration plate issued by ~~it~~ the office upon expiration, revocation,  
19 cancellation, or suspension ~~thereof~~, or which is fictitious or ~~which~~ has been  
20 unlawfully or erroneously issued.

21           ~~(b) The office is authorized to take possession of any vehicle which  
22 is being operated unlawfully.~~

23  
24           27-14-407. Summons of witnesses.

25           ~~(a)(1) The Commissioner of Motor Vehicles~~ Director of the Department  
26 of Finance and Administration and officers of the Office of Motor Vehicle  
27 designated by ~~him or her~~ the director shall have authority to summon  
28 witnesses to give testimony under oath or to give written deposition upon any  
29 matter under the jurisdiction of the office.

30           (2) The summons may require the production of relevant books,  
31 papers, or records.

32           (b)(1) Every summons shall be served at least five (5) days before the  
33 return date, either by personal service made by any person over eighteen (18)  
34 years of age or by registered mail, but return acknowledgment is required to  
35 prove the latter service.

36           (2) Failure to obey a summons ~~so served shall constitute~~

1 constitutes a misdemeanor.

2 (c) Any court of competent jurisdiction shall have jurisdiction, upon  
 3 application by the ~~commissioner~~ director, to enforce all lawful orders of the  
 4 ~~commissioner~~ director under this section.

5  
 6 SECTION 2. Arkansas Code § 27-115-109 is amended to read as follows:

7 27-115-109. Location and construction of landing fields—~~Working of~~  
 8 ~~prisoners.~~

9 (a) The Arkansas Department of Aeronautics shall assist in the  
 10 location of landing fields and the promotion and development of aeronautics  
 11 throughout the state.

12 (b) The Arkansas Department of Aeronautics ~~shall have the authority to~~  
 13 may use for the construction and development of these fields and for the  
 14 grading and construction of highways leading thereto, any equipment of the  
 15 Arkansas State Highway and Transportation Department which is not at that  
 16 time required for other construction purposes.

17 ~~(c) The Arkansas Department of Aeronautics is further authorized and~~  
 18 ~~empowered to make agreements and arrangements with the Board of Corrections~~  
 19 ~~for the use of convicts for any construction work in connection with the~~  
 20 ~~landing fields and roads.~~

21 ~~(d) Counties, cities, and incorporated towns are likewise specifically~~  
 22 ~~permitted to authorize the use by the Arkansas Department of Aeronautics of~~  
 23 ~~their prisoners and equipment in a similar manner on projects in which they~~  
 24 ~~are interested and which are being developed by the Arkansas Department of~~  
 25 ~~Aeronautics or with the approval of the Arkansas Department of Aeronautics.~~