

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

A Bill

HOUSE BILL 1759

5 By: Representative Dalby
6

For An Act To Be Entitled

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

Subtitle

12
13 TO MAKE LEGISLATIVE CORRECTIONS AND TO
14 REPEAL OBSOLETE LAWS CONTAINED IN TITLE
15 27 OF THE ARKANSAS CODE.
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19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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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;~~

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

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

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

27-14-406. Authority to take possession.

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

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

27-14-407. Summons of witnesses.

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

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

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

(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.

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 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.~~