

INTERIM STUDY PROPOSAL 2021-055

1 State of Arkansas
2 93rd General Assembly
3 Regular Session, 2021

A Bill

HOUSE BILL 1874

4 By: Representative Ladyman

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6
7 Filed with: Arkansas Legislative Council
8 pursuant to A.C.A. §10-3-217.

For An Act To Be Entitled

9 AN ACT CONCERNING THE ARKANSAS SPEED TRAP LAW; AND
10 FOR OTHER PURPOSES.
11

Subtitle

12 CONCERNING THE ARKANSAS SPEED TRAP LAW.
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18 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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20 SECTION 1. Arkansas Code § 12-8-403(b), concerning the statutory
21 presumptions that a municipality is conducting an unlawful speed trap, is
22 amended to read as follows:

23 (b) It is presumed that the affected municipality is abusing police
24 power by conducting an unlawful speed trap upon a finding by the director
25 that:

26 (1) ~~The~~ If the municipality has a four-lane divided state
27 highway with the state posted speed limit not reduced inside the municipal
28 limits, the amount of revenue for the affected municipality exceeded thirty
29 percent (30%) of the affected municipality's total expenditures, less capital
30 expenditures, water department expenditures, sewer department expenditures,
31 fiduciary fund expenditures, enterprise fund expenditures, and debt service,
32 in the preceding year;

33 (2) If the municipality does not have a four-lane divided state
34 highway with the state posted speed limit not reduced inside the municipal
35 limits, the amount of revenue for the affected municipality exceeded thirty
36 percent (30%) of the affected municipality's total expenditures, less capital

1 expenditures, fiduciary fund expenditures, enterprise fund expenditures, and
2 debt service, in the preceding year; or

3 ~~(2)~~(3) More than fifty percent (50%) of the summons written for
4 the traffic offense of speeding that is a misdemeanor, a violation of state
5 law, or a violation of a local ordinance in the affected municipality are
6 written for speed limit violations that are ten miles per hour (10 m.p.h.) or
7 less than the posted speed limit.

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12 Referred requested by the Arkansas House of Representatives

13 Prepared by: MBM/KFW
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