

INTERIM STUDY PROPOSAL 2021-090

State of Arkansas
93rd General Assembly
Regular Session, 2021

A Bill

DTP/DTP
HOUSE BILL

By: Representative C. Fite

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

For An Act To Be Entitled

AN ACT TO AMEND THE LAW CONCERNING THE PENALTIES FOR
MOVING VIOLATIONS IN HIGHWAY WORK ZONES; TO CREATE
ADDITIONAL PENALTIES FOR TRAFFIC VIOLATIONS RESULTING
IN INJURY OR DEATH OF CONSTRUCTION PERSONNEL; AND FOR
OTHER PURPOSES.

Subtitle

TO AMEND THE LAW CONCERNING THE PENALTIES
FOR MOVING VIOLATIONS IN HIGHWAY WORK
ZONES; AND TO CREATE ADDITIONAL PENALTIES
FOR TRAFFIC VIOLATIONS RESULTING IN
INJURY OR DEATH OF CONSTRUCTION
PERSONNEL.

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

SECTION 1. Arkansas Code Title 27, Chapter 50, Subchapter 4, is
amended to add an additional section to read as follows:

27-50-409. Injury to construction personnel - Penalties - Definitions.

(a) As used in this section, unless the context otherwise requires:

(1) "Construction personnel" means employees of the Arkansas
Department of Transportation or the counties or municipalities of this state
or any contractors of the State Highway Commission or the counties or
municipalities;

1 (2) "Convicted" means a formal declaration that a person is
2 guilty of a violation of law determined when a person charged with a
3 violation of law pleads guilty or nolo contendere, is found guilty, or
4 forfeits a bond in lieu of a plea or trial; and

5 (3) "Highway work zone" means any area upon or adjacent to any
6 highway, road, or street of this state where construction, reconstruction,
7 maintenance, or any other type of work is being performed or is in progress
8 by employees of the department, the counties or municipalities of this state,
9 or any contractors of the commission or the counties or municipalities.

10 (b) A person convicted of a moving traffic violation while the person
11 is driving through a highway work zone in this state that results in:

12 (1) Injury to any construction personnel is guilty of an
13 unclassified misdemeanor punishable by a fine not to exceed one thousand
14 dollars (\$1,000) or imprisonment not to exceed one (1) year, or both; or

15 (2) Death to any construction personnel is guilty of an
16 unclassified felony punishable by a fine not to exceed seven thousand five
17 hundred dollars (\$7,500) or imprisonment not to exceed fifteen (15) years, or
18 both.

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21 Referred by Representative C. Fite

22 Prepared by: DTP/DTP
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