

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

A Bill

DTP/DTP
HOUSE BILL

5
6 By: Representative C. Fite

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

9 For An Act To Be Entitled

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

15 16 17 Subtitle

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

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

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

30 27-50-409. Injury to construction personnel - Penalties - Definitions.

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

32 (1) "Construction personnel" means employees of the Arkansas
33 Department of Transportation or the counties or municipalities of this state
34 or any contractors of the State Highway Commission or the counties or
35 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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