

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

1 State of Arkansas
2 83rd General Assembly
3 Regular Session, 2001
4

As Engrossed: H3/2/01

A Bill

Act 990 of 2001
HOUSE BILL 2172

5 By: Representatives Jones, Gipson, Scroggin, R. Smith
6 By: Senator Cash
7

For An Act To Be Entitled

10 AN ACT TO ESTABLISH REGULATIONS FOR THE MOVING OF
11 HOUSES AND OTHER STRUCTURES BY QUALIFIED HOUSE OR
12 STRUCTURAL MOVERS UPON THE PUBLIC HIGHWAYS OF
13 THIS STATE; AND FOR OTHER PURPOSES.
14

Subtitle

15 AN ACT TO ESTABLISH REGULATIONS FOR THE
16 MOVING OF HOUSES AND OTHER STRUCTURES BY
17 QUALIFIED HOUSE OR STRUCTURAL MOVERS
18 UPON THE PUBLIC HIGHWAYS OF THIS STATE.
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22 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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24 SECTION 1. Arkansas Code 27-35-301 is amended to read as follows:
25 27-35-301. Definitions.

26 As used in this subchapter, unless the context otherwise requires:

27 (1) "Manufactured home unit" means a structure constructed for use as a
28 dwelling, office, or classroom which is more than eight feet (8') in width or
29 sixty feet (60') in length and is capable of being moved upon the highways
30 when combined with a pulling vehicle;

31 (2) "Department" means the Arkansas State Highway and Transportation
32 Department;

33 (3) "Insurance" means a policy of liability insurance, the limits of
34 which are one hundred thousand dollars (\$100,000) for the first bodily injury
35 or death, three hundred thousand dollars (\$300,000) for bodily injury or death
36 for each accident, and one hundred thousand dollars (\$100,000) for property

1 damage resulting from the accident;

2 (4) "Special permit" means a written permission to move manufactured
3 home units interstate and intrastate on the highways of this state;

4 (5) "Overlength" means any manufactured home unit in excess of sixty
5 feet (60') in length;

6 (6) "Overwidth" means any manufactured home unit in excess of eight
7 feet (8') in width;

8 (7) "Structures" means a building, either portable or permanent, other
9 than a "Manufactured Home Unit", which can not be disassembled or reduced in
10 size without substantial damage to the structure; and:

11 (A) Where any person lives or carries on a business or other
12 calling;

13 (B) Where people assemble for purposes of business, government,
14 education, religion, entertainment, or public transportation; or

15 (C) Which is customarily used for overnight accommodation of
16 persons, whether or not a person is actually present. Each unit of a
17 structure divided into separately occupied units is itself a structure.

18 ~~(7)~~(8) "Traveled way" means the portion of the roadway for the movement
19 of vehicles, exclusive of shoulders and auxiliary lanes; and

20 ~~(8)~~(9) "Width" means the largest overall width of a manufactured home
21 in the traveling mode, including bay windows, roof projections, overhangs, or
22 eaves under which there is no interior space.

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24 SECTION 2. Arkansas Code 27-35-309 is amended to read as follows:

25 27-35-309. Transportation of houses and other structures.

26 (a) Qualified house or structural movers in this state who have met the
27 financial responsibility requirements of the laws of this state and
28 regulations of the Arkansas State Highway and Transportation Department shall
29 be authorized to move, upon the public highways of this state, houses and
30 other structures up to and including twenty-eight feet, six inches (28' 6") in
31 width, exclusive of roof overhang, upon obtaining a permit as required by law.

32 ~~(b)(1) *Where an emergency is*~~ *If determined to be in the best interest*
33 *of the state and where special circumstances are shown to exist, houses and*
34 *other structures having a width in excess of twenty-eight feet, six inches*
35 *(28' 6"), excluding roof overhang, may be moved upon the public highways of*
36 *this state by obtaining an emergency a permit approved by the district*

1 ~~engineer~~ Director of the department Arkansas State Highway and Transportation
2 Department.

3 (2) Factors to be considered in approval of ~~such emergency~~ the
4 special permit shall include, ~~but not be limited to:~~

- 5 (A) Maximum overall width;
- 6 (B) Distance to travel;
- 7 (C) Condition of the highway; and
- 8 (D) The volume or type of traffic.

9 (c)(1) The State Highway Commission may issue such special regulations
10 for the movement of houses and other structures on the highways as the
11 commission ~~may deem~~ deems necessary for the protection of the public safety.

12 (2)(A) The rules and regulations of the commission, with respect
13 to the movement of overwidth, overheight, or overlength loads upon the
14 highways of this state shall be equally applicable to the movement of houses
15 and other structures upon city streets and county roads ~~in~~ of this state.

16 (B) Municipalities and counties, respectively, may make and
17 enforce other rules and regulations regarding the movement of houses and other
18 structures on city streets and on county roads as they ~~shall~~ deem appropriate.

19 (d) The provisions of this section ~~shall be~~ are supplemental to the
20 existing laws of this state pertaining to the moving of houses and other
21 structures upon the public highways of this state and shall repeal only laws,
22 or parts of laws, specifically in conflict with this section.

23 /s/ Jones, et al.

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26 APPROVED: 3/21/2001
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