For An Act To Be Entitled

AN ACT TO AMEND THE LAW CONCERNING THE PENALTIES FOR A VIOLATION OF THE OFFENSE OF RACING A VEHICLE ON A PUBLIC HIGHWAY; AND FOR OTHER PURPOSES.

Subtitle

TO AMEND THE LAW CONCERNING THE PENALTIES FOR A VIOLATION OF THE OFFENSE OF RACING A VEHICLE ON A PUBLIC HIGHWAY.

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

SECTION 1. Arkansas Code § 27-50-302(a)(1), concerning the classification of an offense of certain traffic violations, is amended to read as follows:

(1) Racing Except as provided in § 27-50-309(b)(2), the first offense of racing on a public highway – Class A misdemeanor;

SECTION 2. Arkansas Code § 27-50-309(b) and (c), concerning the offense of racing on a public highway, are amended to read as follows:

(b)(1) A person commits the crime of racing on a public highway if he or she knowingly:

(A) Commits a violation of § 27-50-302(a)(1)-(9) and operates a motor vehicle in a race or drag race on a public highway; or

(B) Participates in, promotes, solicits, or collects moneys at any location for any race or drag race on a public highway; or

(C) Rides as a passenger in or on a motor vehicle in any
race or drag race on a public highway.  
(2)(A) Racing A first offense of the crime of racing on a public highway is a Class A misdemeanor.  
(B) A subsequent offense of the crime of racing on a public highway, committed within five (5) years of a prior offense:  
(i) Is a Class A misdemeanor; and  
(ii) Shall result upon conviction in the suspension of the person’s driver’s license for a period of six (6) months.  
(c)(1) A person commits the crime of felony racing on a public highway if he or she violates subdivision (b)(1) of this section and:  
(A) Commission of the violation serves to impede or stop the flow of traffic traveling on the public highway in the same or opposite direction; or  
(B) Is part of a gathering of ten (10) or more individuals engaging in the same or similar behavior.  
(2) Felony racing on a public highway is a Class D felony.  
(d)(1) A person commits the crime of observing a drag race as a spectator on a public highway if he or she with the purpose to observe a drag race on a public highway:  
(A) Is knowingly present at and purposely observes the drag race or the preparation for the drag race; and  
(B) Purposely demonstrates through active encouragement, assistance, facilitation, urging, or a request that the drag race commence.  
(2) Observing a drag race is a Class B misdemeanor.  

/s/B. Johnson

APPROVED: 4/30/21