

**ARKANSAS SENATE**  
85th General Assembly - Regular Session, 2005  
**Amendment Form**

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**Subtitle of Senate Bill No. 52**

"TO PROHIBIT THE USE OF AUTOMATED ENFORCEMENT DEVICES TO ENFORCE  
TRAFFIC LAWS EXCEPT IN LIMITED CIRCUMSTANCES."

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**Amendment No. 2 to Senate Bill No. 52.**

Amend Senate Bill No. 52 as engrossed, S1/25/05 (version: 01-25-2005 08:46)::

Page 1, delete line 36 and substitute the following:

"(b) Except as used under subsection (c) of this section, an automated enforcement device shall not be used by a law enforcement agency of a county or a department of state government that is operating outside of a municipality to detect or enforce:

(1) A violation of the traffic laws or regulations of the State of Arkansas; or

(2) An ordinance of the municipality."

AND

Page 2, delete lines 1 through 4

AND

Page 2, line 7, delete "and ordinances" and substitute "or ordinances"

AND

Page 2, delete Section 2 in its entirety and substitute the following:

"SECTION 2. Arkansas Code Title 14, Chapter 54, Subchapter 14 is amended to add an additional section to read as follows:

14-54-1412. Automated enforcement devices.

(a) As used in this section:

(1) "Automated enforcement device" means a system operated by a municipality or a department of state government that is operating within the boundaries of the municipality that:

(A) Uses a machine to automatically detect a violation of a traffic law; and

(B) Photographs or records an image of the vehicle used in committing the violation, the operator of the vehicle, or the license plate of the vehicle; and

(2) "Municipality" means a city of the first class, a city of



the second class, or an incorporated town.

(b) Except as used under subsection (c) of this section, an automated enforcement device shall not be used by a law enforcement agency of a municipality or a department of state government that is operating within the boundaries of the municipality to detect or enforce:

(1) A violation of the traffic laws or regulations of the State of Arkansas; or

(2) An ordinance of the municipality.

(c)(1) A municipality or a department of state government that is operating within the boundaries of the municipality may use an automated enforcement device to detect and enforce a violation of traffic laws or ordinances:

(A) In a school zone; or

(B) At a railroad crossing.

(2) If a municipality or a department of state government that is operating within the boundaries of the municipality uses an automated enforcement device, then a certified law enforcement officer must:

(A) Be present with the automated enforcement device; and

(B) Issue the citation to the violator at the time and place of the violation.”

The Amendment was read the first time, rules suspended and read the second time and \_\_\_\_\_

By: Senator J. Jeffress

JSE/VLH - 01-26-2005 17:36

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Secretary