

State of Arkansas

77th General Assembly

Regular Session, 1989

A Bill

SENATE BILL

268

By: Senator Hopkins

For An Act To Be Entitled

"AN ACT TO AMEND VARIOUS SECTIONS OF SUBCHAPTERS 2 AND 3 OF CHAPTER 53 OF TITLE 27 OF THE ARKANSAS CODE OF 1987 ANNOTATED TO REQUIRE A SUPPLEMENTAL TRAFFIC ACCIDENT REPORT FOR ALL MOTORCYCLE ACCIDENTS AND TO SPECIFY THE CONTENT OF THE REPORT; AND FOR OTHER PURPOSES."

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

SECTION 1. Arkansas Code 27-53-202 is hereby amended to read as follows:

"27-53-202. Reports of accidents required - Supplemental reports.

(a) The driver of a vehicle involved in an accident resulting in injury to or death of any person or total property damage to an apparent extent of fifty dollars (\$50.00) or more shall forward a written report of the accident to the Arkansas State Police within forty-eight (48) hours after the accident.

(b) (1) The driver of any taxicab, motor bus, or other motor vehicle carrying passengers for hire involved in an accident resulting in injury to or death of any person shall forward a written report of the accident to the Arkansas State Police within forty-eight (48) hours after the accident.

(2) The report shall contain a full and complete list of the names and addresses of all passengers occupying the taxicab, bus, or other vehicle at the time of the accident.

(c) The Arkansas State Police may require any driver of a vehicle involved in an accident of which report must be made as provided in this section to file supplemental reports whenever the original report is insufficient in the opinion of the Arkansas State Police and may require witnesses of an accident to render reports to the Arkansas State Police.

(d) In all traffic accidents involving motorcycles, motor-driven cycles, motorized bicycles, or any other two or three-wheeled motor vehicle, all written reports of the accident shall be supplemented with a motorcycle

traffic accident report."

SECTION 2. Arkansas Code 27-53-206 is hereby amended to read to as follows:

"27-53-206. Approved forms to be used. (a)(1) The Arkansas State Police shall prepare and upon request supply to police departments, coroners, sheriffs, and other suitable agencies or individuals forms for accident reports required under this subchapter.

(2) The reports shall call for sufficiently detailed information to disclose with reference to a traffic accident the cause, conditions then existing, and the persons and vehicles involved.

(b) Every required accident report shall be made on a form approved by the Arkansas State Police.

(c) The motorcycle traffic accident report shall be made upon forms approved and supplied by the Department of Arkansas State Police, with the concurrence of the Arkansas State Highway and Transportation Department. The motorcycle traffic accident report form shall contain the following information: the year, make, model, and engine displacement (in cubic centimeters) of the vehicle; the vehicle description (motorcycle, motor-driven cycle, moped, motorized bicycle, two or three-wheeled vehicle, all-terrain vehicles with three or more wheels, or towing or not towing a trailer, or equipped with a side car); description of any protective clothing of the driver and any passengers (helment, full or half or 3/4 coverage, boots, jacket, eye protection and what type); headlight (on or off); type and severity of any injuries (head or neck injuries); and any other information deemed necessary by the Department of the Arkansas State Police."

SECTION 3. Arkansas Code 27-53-303 is hereby amended to read as follows:

"27-53-303. Jurisdiction of law enforcement officers. (a) Within their jurisdictions, and cooperatively in overlapping jurisdictional situations, such as the state highway extensions within municipal corporations, law enforcement officers of Arkansas are declared to be responsible for the investigation and reporting of all traffic accidents and the deaths, injuries, and property damage resulting therefrom.

(b) These responsibilities shall be generally as outlined:

(1) The federal interstate system - The Arkansas State Police;

(2) The state highway system - The Arkansas State Police and, within municipal corporations, the municipal police, except that the Arkansas State Police may investigate accidents on all streets, county roads, and state highways;

(3) The municipal streets within the boundaries of a municipal corporation which are not a part of the state highway system - The municipal police in cities of the first and second class and the municipal police or the county sheriff's department in all other municipalities;

(4) The county road system - The sheriff of that county;

(c) The responsible investigating office shall make the investigation with all possible promptness, and the investigating officer shall file the report with the Arkansas State Police within five (5) days subsequent to the actual investigation.

(d) In all traffic accidents involving motorcycles, motor-driven cycles, motorized bicycles, or any other two or three-wheeled motor vehicle, all traffic accident reports filed with the Arkansas State Police shall be supplemented with a motorcycle traffic accident report."

SECTION 4. Arkansas Code 27-53-304 is hereby amended to read as follows:

"27-53-304. Report forms. (a) All traffic accident investigation reports shall be made upon forms prescribed, approved, and supplied by the Department of Arkansas State Police, with the concurrence of the Arkansas State Highway and Transportation Department.

(b) The motorcycle traffic accident report shall be made upon forms approved and supplied by the Department of Arkansas State Police, with the concurrence of the Arkansas State Highway and Transportation Department. The motorcycle traffic accident report form shall contain the following information: the year, make, model, and engine displacement (in cubic centimeters) of the vehicle; the vehicle description (motorcycle, motor-driven cycle, moped, motorized bicycle, two or three-wheeled vehicle, all-terrain vehicles with three or more wheels, or towing or not towing a trailer, or equipped with a side car); description of any protective clothing of the driver and any passengers (helment, full or half or 3/4 coverage, boots, jacket, eye protection and what type); headlight (on or off); type and severity of any injuries (head or neck injuries); and any other information deemed necessary by the Department of the Arkansas State Police."

SECTION 5. All provisions of this act of general and permanent nature are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code Revision Commission shall incorporate the same in the Code.

SECTION 6. All laws and parts of laws in conflict with this act are hereby repealed.