

1 State of Arkansas  
2 80th General Assembly  
3 Regular Session, 1995  
4 By: Representative Young

# A Bill

HOUSE BILL 2007

## For An Act To Be Entitled

"AN ACT TO LIMIT DAMAGES WHICH MAY BE AWARDED TO AN  
UNINSURED DRIVER; AND FOR OTHER PURPOSES."

### Subtitle

"TO LIMIT DAMAGES WHICH MAY BE AWARDED  
TO AN UNINSURED DRIVER"

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

SECTION 1. Liability for injury to operator who fails to maintain  
financial responsibility.

(a) A person may not obtain noneconomic damages or punitive damages in  
a civil action for bodily injury, death, or damage to or destruction of  
property arising out of a motor vehicle accident if, at the time of the  
accident, the person:

(1) was the operator of a motor vehicle involved in the accident;

and

(2) was operating the motor vehicle in violation of Arkansas Code  
§ 27-22-104.

(b) For purposes of this act, noneconomic damages means damages to  
compensate the operator for a loss other than a pecuniary loss, including,  
but not limited to, damages for pain and suffering, mental anguish, loss  
associated with disfigurement, and loss of companionship or consortium.

SECTION 2. This act applies only to a cause of action that accrues on  
or after the effective date of this act. An action that accrued before the  
effective date of this act is governed by the law applicable to the action  
immediately before the effective date of this act, and that law is continued

1 in effect for that purpose.

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3       SECTION 3. All provisions of this act of a general and permanent  
4 nature are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas  
5 Code Revision Commission shall incorporate the same in the Code.

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7       SECTION 4. If any provision of this act or the application thereof to  
8 any person or circumstance is held invalid, such invalidity shall not affect  
9 other provisions or applications of the act which can be given effect without  
10 the invalid provision or application, and to this end the provisions of this  
11 act are declared to be severable.

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13       SECTION 5. All laws and parts of laws in conflict with this act are  
14 hereby repealed.

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