

1 State of Arkansas
2 80th General Assembly
3 Regular Session, 1995

A Bill

SENATE BILL 703

4 By: Senators Hopkins, *Everett, Fitch, and Webb*

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For An Act To Be Entitled

8 "AN ACT TO CREATE THE ARKANSAS MOTORCYCLE SAFETY EDUCATION
9 COMMISSION; AND FOR OTHER PURPOSES."

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Subtitle

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12 "AN ACT TO CREATE THE ARKANSAS
13 MOTORCYCLE SAFETY EDUCATION COMMISSION."

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

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17 SECTION 1. There is hereby created the Arkansas Motorcycle Safety
18 Education Commission to be composed of three (3) nationally certified
19 motorcycle safety instructors appointed by the Governor, a motorcycle dealer
20 appointed by the Governor, and the Director of the Arkansas State Police, or
21 his designee. The initial four (4) members appointed by the Governor shall
22 draw lots for their terms of office so that one will serve a one year term,
23 one a two year term, one a three year term, and one a four year term.
24 Thereafter, their successors shall serve four year terms.

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26 SECTION 2. (a) The Commission shall establish stringent curriculum
27 for motorcycle safety education programs administered under this act to
28 enhance motorcycle operators_ knowledge and appreciation of safety and such
29 curriculum shall be at least equal to the nationally accredited program by
30 the National Motorcycle Safety Foundation. The Commission shall contract
31 with persons and entities approved by the Commission to conduct motorcycle
32 safety programs within this State. The contractor may charge a participation
33 fee not to exceed twenty-five dollars (\$25.00). Persons who successfully
34 complete such programs shall not be required to take the field test for an
35 operator_s license or special license for a motorcycle, motor-driven cycle,

1 or motorized bicycle.

2 (b) No person is required to participate in any motorcycle safety
3 education program administered under this act. Participation is voluntary.

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5 SECTION 3. In addition to any other fees levied by law for the
6 registration of a motorcycle, motor-driven cycle, or motorized bicycle, there
7 is hereby levied an additional fee of Three Dollars (\$3.00) per year payable
8 at the time of registration. The monies derived from the fees levied by this
9 act shall be deposited as special revenues into the Arkansas Motorcycle
10 Safety Education Fund which is hereby created upon the books of the State
11 Treasurer, State Auditor, and Chief Fiscal Officer of the State. The
12 Director of the State Police shall be the disbursing officer for the fund,
13 and the monies therein shall be used exclusively for awarding grants approved
14 by the Commission to persons and entities to conduct motorcycle safety
15 education programs within this State.

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17 SECTION 4. The Arkansas State Police Department shall provide
18 administrative assistance to the Commission and may promulgate regulations
19 necessary to implement this act.

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

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25 SECTION 6. If any provision of this act or the application thereof to
26 any person or circumstance is held invalid, such invalidity shall not affect
27 other provisions or applications of the act which can be given effect without
28 the invalid provision or application, and to this end the provisions of this
29 act are declared to be severable.

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31 SECTION 7. All laws and parts of laws in conflict with this act are
32 hereby repealed.

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34 SECTION 8. EMERGENCY. It is hereby found and determined by the
35 General Assembly that the State should institute a Motorcycle Safety

1 Education Program as soon as possible under the auspices of a State agency;
2 that this act so provides; and that this act should go into effect at the
3 beginning of the next fiscal year. Therefore, an emergency is hereby
4 declared to exist, and this act being immediately necessary for the
5 preservation of the public peace, health, and safety shall be in full force
6 and effect from and after July 1, 1995.

7 */s/Hopkins et al*

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As Engrossed: 3/8/95 3/13/95

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