

Stricken language would be deleted from present law. Underlined language would be added to present law.

1 State of Arkansas  
2 81st General Assembly  
3 Regular Session, 1997

As Engrossed: H3/7/97 H3/12/97

## A Bill

HOUSE BILL 1289

4  
5 By: Representative Judy Smith  
6  
7

### For An Act To Be Entitled

8  
9 "AN ACT TO AMEND ARKANSAS CODE ANNOTATED § 27-35-104 TO  
10 PROHIBIT PERSONS UNDER THE AGE OF EIGHTEEN (18) FROM  
11 RIDING UPON ANY PORTION OF A VEHICLE NOT DESIGNED OR  
12 INTENDED FOR PASSENGERS EXCEPT IN LIMITED CIRCUMSTANCES;  
13 AND FOR OTHER PURPOSES."  
14

### Subtitle

15  
16 "TO PROHIBIT PERSONS UNDER THE AGE OF 18  
17 FROM RIDING UPON ANY PORTION OF A  
18 VEHICLE NOT INTENDED FOR PASSENGERS  
19 EXCEPT IN LIMITED CIRCUMSTANCES."  
20

21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
22

23 SECTION 1. Arkansas Code Annotated § 27-35-104 is amended to read as  
24 follows:

25 "27-35-104. Riding in spaces not for passengers.

26 (a)(1) No person shall ride on any vehicle upon any portion of the  
27 vehicle not designed or intended for the use of passengers.

28 ~~\_\_\_\_\_ (b)(2) This section subsection shall not apply to any employee engaged~~  
29 in the necessary discharge of a duty or to persons riding within bodies of  
30 trucks in space intended for merchandise.

31 (b)(1) No person under the age of eighteen (18) years shall ride on any  
32 vehicle upon any portion of the vehicle not designed or intended for the use  
33 of passengers, including riding within the bodies of trucks or trailers in  
34 space intended for merchandise.

35 (2) This subsection shall not apply to any person under the age  
36 of eighteen (18) years riding on any vehicle participating in a parade or

1 hayride, other public event sanctioned by a school district, a church,  
2 municipality, other governmental entity, or other supervised charitable or  
3 benevolent activity or on any vehicle on private property or private roads."  
4

5 SECTION 2. All provisions of this act of a general and permanent nature  
6 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code  
7 Revision Commission shall incorporate the same in the Code.  
8

9 SECTION 3. If any provision of this act or the application thereof to  
10 any person or circumstance is held invalid, such invalidity shall not affect  
11 other provisions or applications of the act which can be given effect without  
12 the invalid provision or application, and to this end the provisions of this  
13 act are declared to be severable.  
14

15 SECTION 4. All laws and parts of laws in conflict with this act are  
16 hereby repealed.

17 /s/Rep. Judy Smith  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35