

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

A Bill

HOUSE BILL 1387

4
5 By: Representative French

For An Act To Be Entitled

9 "AN ACT TO AMEND ARKANSAS CODE § 14-14-810 TO ALLOW COUNTY
10 GOVERNMENTS THE GENERAL AUTHORITY TO MAKE IMPROVEMENTS TO
11 ROADWAYS FOR ACCESS TO PUBLIC ROADS FROM PRIVATE PROPERTY;
12 AND FOR OTHER PURPOSES."

Subtitle

15 "TO ALLOW COUNTY GOVERNMENTS THE GENERAL
16 AUTHORITY TO MAKE IMPROVEMENTS TO
17 ROADWAYS FOR ACCESS TO PUBLIC ROADS FROM
18 PRIVATE PROPERTY."

19
20 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

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22 SECTION 1. Arkansas Code § 14-14-810 is amended to read as follows:

23 "14-14-810. Improvements to roadways serving private property.

24 (a)(1) In the passage of this section, the General Assembly is
25 cognizant of the responsibilities of the county judge and of the county quorum
26 court with respect to the establishment and operation of public roads and for
27 the construction, maintenance, repair, and upkeep of county roads. The General
28 Assembly is also mindful of the importance of providing reasonable access to
29 the public roads system for the procurement of emergency medical services; the
30 education of school-age children transported by school buses; the obtaining of
31 mail and the goods of commerce; the marketing of the agricultural, livestock,
32 and poultry products produced on Arkansas farms; and access to numerous other
33 services essential to the health, safety, and welfare of thousands of rural
34 families in this state.

35 (2)(A) It is, therefore, the purpose and intent of this section
36 to authorize the quorum courts of counties having a population of no less than

1 seven thousand (7,000) nor more than seven thousand five hundred (7,500),
 2 according to the 1980 Federal Decennial Census and counties having a
 3 population of no less than thirteen thousand six hundred (13,600) nor more
 4 than thirteen thousand nine hundred (13,900), according to the 1990 Federal
 5 Decennial Census, to enact ordinances authorizing the county judge to provide
 6 for the use of county road machinery and equipment, materials, supplies, and
 7 labor to make improvements to the roadways serving private property that are
 8 deemed essential, under standards and procedures established by the court, to
 9 provide access to the public roads of the county in cases of bad weather or
 10 the occurrence of other events which may impair citizens of this state from
 11 obtaining reasonable and necessary access to the public roads of this state.

12 (B)(i) The ordinance enacted by the quorum court shall
 13 prescribe the conditions, circumstances, and limitations under which the
 14 county judge is authorized to make improvements or to perform work upon roads
 15 used for access from private property to the public roads.

16 (ii) In addition, the court may request the county
 17 judge to file reports from time to time, outlining the work performed in
 18 providing access of private property to the public roads, in such detail and
 19 at such frequencies as may be requested by the court.

20 (b)(1) All work performed by the county judge on improvements necessary
 21 to make private property accessible to the public roads, as authorized in this
 22 section, and which is performed in compliance with the ordinance adopted by
 23 the county quorum court authorizing the work, shall be deemed to be public
 24 work for which public funds may be expended.

25 (2) All expenditures of county funds made by the county judge in
 26 compliance with this section are determined to be for a public purpose, as
 27 defined in this section."
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29 SECTION 2. All provisions of this act of general and permanent nature
 30 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code
 31 Revision Commission shall incorporate the same in the Code.
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33 SECTION 3. If any provisions of this act or the application thereof to
 34 any person or circumstance is held invalid, the invalidity shall not affect
 35 other provisions or applications of the act which can be given effect without
 36 the invalid provisions or application, and to this end the provisions of this

1 act are declared to be severable.

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

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