

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  
4

As Engrossed: S3/12/97 H3/19/97 H3/21/97

## A Bill

SENATE BILL 546

5 By: Senator Beebe  
6

### For An Act To Be Entitled

8 "AN ACT TO AUTHORIZE CITIES TO ESTABLISH REASONABLE  
9 LIMITATIONS ON MOTOR VEHICLE RACE TRACKS LOCATED WITHIN  
10 *FOUR (4)* MILES OF THE BOUNDARIES OF THE CITIES IN ORDER TO  
11 PROTECT THE CITIES INHABITANTS FROM AIR AND NOISE  
12 POLLUTION, TRAFFIC CONGESTION, AND OTHER NUISANCES; AND  
13 FOR OTHER PURPOSES."

### Subtitle

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16 "AUTHORIZE CITIES TO REGULATE MOTOR  
17 VEHICLE RACE TRACKS LOCATED WITHIN *FOUR*  
18 *(4)* MILES OF BOUNDARIES OF CITIES TO  
19 PROTECT INHABITANTS FROM AIR AND NOISE  
20 POLLUTION, TRAFFIC CONGESTION, AND OTHER  
21 NUISANCES."  
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23 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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25 SECTION 1. All first and second class cities and incorporated towns  
26 may, after public notice and hearing, establish reasonable limitations on  
27 motor vehicle racing facilities located no more than *four (4)* miles outside  
28 the boundaries of the cities to the extent the limitations are necessary to  
29 protect the inhabitants of the cities from air pollution, noise pollution,  
30 traffic congestion, and other nuisances. If the race track owners do not  
31 comply with the limitations imposed by the city, the city may petition the  
32 court of proper jurisdiction to compel compliance. The court shall compel  
33 compliance if it determines that the limitations imposed by the city are  
34 reasonably necessary to protect the inhabitants of the city from air  
35 pollution, noise pollution, traffic congestion, or other nuisances. If the  
36 court finds the limitations imposed by the city to be unreasonable, the court

1 shall establish reasonable limitations it determines necessary to protect the  
2 inhabitants of the city from air pollution, noise pollution, traffic  
3 congestion, or other nuisances.

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5 SECTION 2. To the extent that this act or any part of it is in conflict  
6 with Act 551 of 1997, all of the provisions of Act 551 of 1997 shall prevail.

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

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12 SECTION 4. If any provision of this act or the application thereof to  
13 any person or circumstance is held invalid, such invalidity shall not affect  
14 other provisions or applications of the act which can be given effect without  
15 the invalid provision or application, and to this end the provisions of this  
16 act are declared to be severable.

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

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22 /s/Beebe  
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