

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

As Engrossed: S3/19/97

A Bill

SENATE BILL 562

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5 By: Senator Smith
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For An Act To Be Entitled

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9 "AN ACT TO PROHIBIT LAW ENFORCEMENT AGENCIES FROM USING
10 UNMARKED CARS FOR STOPPING MOTORISTS FOR TRAFFIC
11 VIOLATIONS; AND FOR OTHER PURPOSES."
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Subtitle

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14 "AN ACT TO PROHIBIT LAW ENFORCEMENT
15 AGENCIES FROM USING UNMARKED CARS FOR
16 STOPPING MOTORISTS FOR TRAFFIC
17 VIOLATIONS."
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19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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21 SECTION 1. Hereafter, no state or local law enforcement officer shall,
22 when in an unmarked vehicle, stop any motorist solely for traffic violations.
23 However, a state or local law enforcement officer may use an unmarked law
24 enforcement vehicle for a traffic stop in accordance with guidelines
25 promulgated pursuant to section 2 of this act. Use of an unmarked law
26 enforcement vehicle in violation of this act shall be grounds for suspension
27 or revocation of the certification of the law enforcement officer.
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29 SECTION 2. The director, chief, or head of each law enforcement agency
30 in the state shall promulgate guidelines to govern the use of unmarked law
31 enforcement vehicles for traffic stops in exigent or emergency circumstances.
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33 SECTION 3. Any constable using a personal vehicle for law enforcement
34 purposes shall provide the Arkansas State Police with his name, address,
35 including county and township, a description of the vehicle to be used for law
36 enforcement purposes, and the vehicles license plate number.

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SECTION 4. Each county clerk shall furnish a list of elected constables within his or her county to the Secretary of State, and the Secretary of State shall compile and maintain a list all elected constables in the State.

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

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

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

/s/Smith