

State of Arkansas  
82nd General Assembly  
Regular Session, 1999

# A Bill

SENATE BILL 664

By: Senator Argue

## For An Act To Be Entitled

"AN ACT TO AMEND ARKANSAS CODE 27-49-106 TO PROVIDE  
LOCAL AUTHORITIES THE ABILITY TO LIMIT ACCESS TO  
PARKING AT DESIGNATED TIMES IN RESIDENTIAL AREAS; AND  
FOR OTHER PURPOSES. "

## Subtitle

"TO PROVIDE LOCAL AUTHORITIES THE ABILITY  
TO LIMIT ACCESS TO PARKING AT DESIGNATED  
TIMES IN RESIDENTIAL AREAS. "

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

SECTION 1. Arkansas Code 27-49-106 is amended to read as follows:

"27-49-106. Powers of local authorities.

(a)(1) No local authority shall enact or enforce any rule or regulation  
in conflict with the provisions of this subtitle unless expressly authorized  
in this subtitle.

(2) Local authorities may, however, adopt additional traffic  
regulations which are not in conflict with the provisions of this subtitle.

(3) Local authorities may enact and enforce traffic rules and  
regulations which are not in conflict with the provisions of this subtitle for  
private roadways, but only after being granted express permission by the owner  
of the private roadway within the planned community.

(b) The provisions of this subtitle shall not be deemed to prevent  
local authorities with respect to streets and highways under their  
jurisdiction and within the reasonable exercise of the police power from:

(1) Regulating the standing or parking of vehicles, including the

ability to establish districts for the purpose of limiting the time, place and manner of public parking in designated areas;

(2) Regulating traffic by means of police officers or traffic control signals;

(3) Regulating or prohibiting processions or assemblages on the highways;

(4) Designating particular highways as one-way highways and requiring that all vehicles thereon be moved in one specific direction;

(5) Regulating the speed of vehicles in public parks;

(6) Designating any highway as a through highway and requiring that all vehicles stop before entering or crossing it, or designating any intersection as a stop intersection and requiring all vehicles to stop at one (1) or more entrances to such intersections;

(7) Restricting the use of highways as authorized in §§ 27-35-101 - 27-35-111;

(8) Regulating or prohibiting the traffic from and use of mopeds, three-wheeled vehicles, and other similar vehicles.

(c) No ordinance or regulation enacted under subdivision (b)(1), (4), (5), (6), or (7) of this section shall be effective until signs giving notice of local traffic regulations are posted upon or at the entrances to the highways, or parts affected, as may be most appropriate.

(d) No provision of this subtitle or other state traffic laws or any local traffic ordinance or regulation enacted under authority of subdivision (a)(3) of this section shall be effective on a private roadway of a planned community until signs giving notice of the owner's grant of permission to enforce those state and local traffic regulations are posted upon or at the entrances to the planned community's private roadways, or parts thereof, affected."

SECTION 2. 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 3. 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

1 the invalid provision or application, and to this end the provisions of this  
2 act are declared to be severable.

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