

Stricken language would be deleted from and underlined language would be added to law as it existed prior to the 82nd General Assembly.

1 State of Arkansas
2 82nd General Assembly
3 Regular Session, 1999
4

As Engrossed: S3/10/99 S3/31/99

A Bill

SENATE BILL 880

5 By: Senator Walters
6
7

For An Act To Be Entitled

9 "AN ACT TO AMEND THE ARKANSAS CODE TO AUTHORIZE THE
10 STATE HIGHWAY COMMISSION TO ISSUE SPECIAL PERMITS
11 UNDER CERTAIN CONDITIONS FOR THE MOVEMENT OF SEALED
12 CONTAINERIZED CARGO UNITS UPON THE HIGHWAYS OF THIS
13 STATE; TO DECLARE AN EMERGENCY; AND FOR OTHER
14 PURPOSES. "

Subtitle

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16 "TO AUTHORIZE THE MOVEMENT OF SEALED
17 CONTAINERIZED CARGO UNITS ON THE STATE
18 HIGHWAYS BY SPECIAL PERMIT. "
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22 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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24 SECTION 1. Arkansas Code 27-35-210 is amended by adding an additional
25 subsection to read as follows:

26 "(k)(1) The State Highway Commission is hereby authorized to issue
27 special permits in conformance with the provisions of this section for the
28 movement of sealed containerized cargo units upon highways under the
29 commission's jurisdiction subject to the restrictions and conditions deemed
30 appropriate by the commission as contained within this section and the
31 following additional restrictions:

32 (A) Such containerized cargo units must be part of
33 international trade and be moved on the highways due to importation from, or
34 exportation to, another country;

35 (B) A copy of the international bill of lading signed by a
36 custom's official, or an international bill of lading with equipment

1 interchange and inspection report must be submitted to the commission before a
2 permit may be issued;

3 (C) The operators of such units shall at all times have in
4 their possession a copy of the documents as described in (B) above;

5 (D) All vehicles operating under a sealed containerized
6 cargo unit permit shall have a minimum of five (5) full time load bearing
7 axles and shall not exceed twenty thousand (20,000) pounds per axle, or total
8 gross vehicle weight of ninety thousand pounds;

9 (E) All vehicles operating under a sealed containerized
10 cargo unit permit must not exceed the legal width, length, or height
11 restrictions as set out in this subchapter; and

12 (F) The payment of the charges for each special permit as
13 ascertained in the manner set out in subsection (e) of this section.

14 (2) A special permit may be issued pursuant to this subsection
15 only for a single continuous movement or operation to be executed or performed
16 within six (6) consecutive days of the issuance of the permit by one (1)
17 vehicle within one (1) county of this state."

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19 SECTION 2. All provisions of this act of a general and permanent nature
20 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code
21 Revision Commission shall incorporate the same in the Code.

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23 SECTION 3. If any provision of this act or the application thereof to
24 any person or circumstance is held invalid, such invalidity shall not affect
25 other provisions or applications of the act which can be given effect without
26 the invalid provision or application, and to this end the provisions of this
27 act are declared to be severable.

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

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32 SECTION 5. EMERGENCY CLAUSE. It is hereby found and determined by the
33 Eighty-second General Assembly that the movement in international commerce of
34 sealed containerized cargo units from one mode of transportation to another at
35 times necessitates the movement of such containers upon the highways; that the
36 current law does not authorize the movement of such containers upon the

1 highways of this state; that such movement is vital to the economic growth of
2 this state by enhancing the availability of international markets and trade;
3 that until this act becomes effective the citizens of this state will not be
4 able to avail themselves of such markets and trade in a meaningful manner; and
5 that only by the immediate passage and effectiveness of this act may this
6 problem be solved. Therefore, an emergency is declared to exist and this act
7 being immediately necessary for the preservation of the public peace, health
8 and safety shall become effective on the date of its approval by the Governor.
9 If the bill is neither approved nor vetoed by the Governor, it shall become
10 effective on the expiration of the period of time during which the Governor
11 may veto the bill. If the bill is vetoed by the Governor and the veto is
12 overridden, it shall become effective on the date the last house overrides the
13 veto.

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/s/ Walters