

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

1 State of Arkansas
2 83rd General Assembly
3 Regular Session, 2001
4

As Engrossed: H1/31/01

A Bill

HOUSE BILL 1363

5 By: Representatives Schall, Agee, French, Milligan, Rankin
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For An Act To Be Entitled

9 AN ACT TO AMEND ARKANSAS CODE 27-51-305 TO FURTHER
10 DEFINE THE OFFENSE OF FOLLOWING TOO CLOSELY; AND FOR
11 OTHER PURPOSES.
12

Subtitle

13 AN ACT TO AMEND ARKANSAS CODE 27-51-305
14 TO FURTHER DEFINE THE OFFENSE OF
15 FOLLOWING TOO CLOSELY.
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19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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21 SECTION 1. Arkansas Code 27-51-305, concerning the offense of following
22 too closely, is amended to read as follows:

23 27-51-305. Following too closely.

24 (a) The driver of a motor vehicle shall not follow another motor
25 vehicle more closely than is reasonable and prudent, having due regard for the
26 speed of vehicles and the traffic upon and the condition of the highway.

27 (b)(1) The driver of any ~~motor truck or motor truck drawing another~~
28 ~~vehicle~~ commercial motor vehicle when traveling upon a roadway having a posted
29 speed limit of fifty-five (55) miles per hour or greater, outside of a
30 ~~business or residence district~~ shall not follow within approach and maintain a
31 following distance behind another motor vehicle of less than two hundred feet
32 (200') of another motor truck or motor truck drawing another vehicle.

33 (2) If the distance between a commercial motor vehicle and
34 another motor vehicle is reduced to less than two hundred feet (200') as a
35 result of actions taken by another motor vehicle, it is an affirmative defense
36 that the driver of the commercial motor vehicle took prompt action and

1 reasonable steps to increase the distance between the vehicles to not less
2 than two hundred feet (200').

3 ~~(2)(3)~~ The provisions of this subsection shall not be construed
4 to prevent overtaking and passing ~~nor shall they apply upon any lane specially~~
5 ~~designated for use by motor trucks~~ by commercial motor vehicles.

6 (4) As used in this section, "commercial motor vehicle" means
7 motor buses, motor buses in interstate or intrastate operations, trucks,
8 tractors, trailers and semi trailers of Classes Two, Three, Four, Five, Six,
9 Seven, and Eight, as provided in § 27-14-601(a)(3), and trailers and
10 semi trailers in Class One of § 27-14-601(a)(3) as defined in § 27-14-
11 1002(a)(2).

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13 /s/ Schall, et al.
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