

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: S3/21/01

A Bill

HOUSE BILL 2246

5 By: Representatives W. Walker, Bond, Glover, Green, Hendren, Milum, Salmon, T. Steele, Trammell
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For An Act To Be Entitled

9 AN ACT TO AMEND ARKANSAS CODE 27-15-305 TO MAKE
10 IT UNLAWFUL TO OBSTRUCT THE PARKING AREAS FOR
11 DISABLED PERSONS; AND FOR OTHER PURPOSES.
12

Subtitle

14 TO MAKE IT UNLAWFUL TO OBSTRUCT THE
15 PARKING AREAS FOR DISABLED PERSONS.
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18 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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20 SECTION 1. Arkansas Code 27-15-305 is amended to read as follows:
21 27-15-305. Penalties.

22 (a) Any individual who provides false information in order to acquire
23 or who assists an unqualified person in acquiring the special license plate
24 or the special certificate and any person who abuses the privileges granted
25 by this subchapter shall be deemed guilty of a Class A misdemeanor.

26 (b) Any vehicle found to be parked in an area designated for the
27 exclusive use of any person with a disability, including the access aisle, as
28 provided in this subchapter, on which is not displayed a special license
29 plate, a special certificate, or an official designation of another state as
30 authorized in this subchapter or which is found to be parked in an area
31 designated for the exclusive use of any person with a disability, if operated
32 by a person who is not a person with a disability, while not being used for
33 the actual transporting of a person with a disability, shall be subject to
34 impoundment by the appropriate law enforcement agency. In addition thereto,
35 the owner of the vehicle shall upon conviction be subject to a fine of not
36 less than one hundred dollars (\$100) nor more than five hundred dollars

1 (\$500) for the first offense and not less than two hundred fifty dollars
2 (\$250) nor more than one thousand dollars (\$1,000) for the second and
3 subsequent offense, plus applicable towing, impoundment, and related fees as
4 well as court costs.

5 (c)(1) Any individual who places a grocery cart, or any other object
6 or item, in a parking area designated for the exclusive use of any person
7 with a disability, including the access aisle, so as to block, obstruct, or
8 otherwise prevent the parking area from being used for parking purposes shall
9 be deemed guilty of a Class C misdemeanor.

10 (2) It shall not be considered a violation of this subsection
11 (c) for an individual who is a person with a disability or who is under age
12 fourteen (14) to leave a grocery cart or to place an object in a parking area
13 designated for use by persons with disabilities.

14 ~~(e)~~(d) Thirty percent (30%) of every fine and fee collected under this
15 section by a law enforcement agency and court of competent jurisdiction shall
16 be for the purpose of funding activities of the Governor's Commission on
17 People with Disabilities and shall be collected and paid to a special fund
18 established and maintained by the Treasurer of State. Seventy percent (70%)
19 of the funds collected from fines and fees collected under this section shall
20 be paid to the local municipality in which the violation occurred to assist
21 that political subdivision in paying the expenses it incurs in complying with
22 requirements of the Americans with Disabilities Act.

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24 /s/ W. Walker
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