

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 85th General Assembly
3 Regular Session, 2005

A Bill

HOUSE BILL 1070

4
5 By: Representative Borhauer
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For An Act To Be Entitled

8
9 AN ACT TO ESTABLISH AS PRIMA FACIE EVIDENCE THAT
10 THE DRIVER OF AN OPEN BED PICKUP TRUCK IS
11 RESPONSIBLE FOR LITTER BLOWING OR FALLING ONTO
12 THE ROADWAY; AND FOR OTHER PURPOSES.
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Subtitle

14
15 TO ESTABLISH AS PRIMA FACIE EVIDENCE
16 THAT THE DRIVER OF AN OPEN BED PICKUP
17 TRUCK IS RESPONSIBLE FOR LITTER BLOWING
18 OR FALLING ONTO THE ROADWAY.
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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 § 8-6-409 is amended to read as follows:
25 8-6-409. Prima facie evidence against drivers.

26 (a) If the throwing, dumping, or depositing of litter was done from a
27 motor vehicle, except a motor bus, it shall be prima facie evidence that the
28 throwing, dumping, or depositing was done by the driver of the motor vehicle.

29 (b) If the unlawful dropping, depositing, discarding, or otherwise
30 disposing of the litter occurs from a motor vehicle that is a pickup truck
31 and the litter blows or drops onto the roadway from the open bed of a pickup
32 truck, then it is prima facie evidence that the dropping, depositing,
33 discarding, or other disposing of the litter was done by the driver of the
34 pickup truck.
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