

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
4

As Engrossed: S3/7/05
A Bill

HOUSE BILL 2086

5 By: Representative Clemons
6 By: Senator J. Taylor
7
8

9 **For An Act To Be Entitled**

10 AN ACT TO CLARIFY THAT NITROUS OXIDE SHALL NOT BE
11 USED IN ANY MOTOR VEHICLE OR MOTORCYCLE DRIVEN ON
12 THE STREETS OR HIGHWAYS; TO MAKE THE USE OF
13 NITROUS OXIDE IN A MOTOR VEHICLE OR MOTORCYCLE
14 THAT IS DRIVEN IN A RACE ON THE STREETS OR
15 HIGHWAYS AN ADDITIONAL OFFENSE; TO PRESCRIBE
16 PENALTIES FOR THE USE OF NITROUS OXIDE IN MOTOR
17 VEHICLES OR MOTORCYCLES DRIVEN ON THE STREETS OR
18 HIGHWAYS; AND FOR OTHER PURPOSES.
19

20 **Subtitle**

21 ERIC'S LAW: THE NITROUS OXIDE
22 PROHIBITION ACT.
23
24

25 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
26

27 SECTION 1. Arkansas Code Title 27, Chapter 37 is amended to add an
28 additional subchapter to read as follows:

29 27-37-801. Title.

30 The title of this subchapter shall be known and may be cited as "Eric's
31 Law: The Nitrous Oxide Prohibition Act".
32

33 27-37-802. Definitions.

34 For the purposes of this subchapter:

35 (1)(A) "Motorcycle" means a motor vehicle having a saddle for
36 the use of the rider and designed to travel on not more than three (3) wheels



1 in contact with the ground.

2 (B) "Motorcycle" does not include a tractor;

3 (2) "Nitrous oxide" means a gas or liquid form of nitrous oxide
4 that is used to increase the speed or performance of a motor vehicle or
5 motorcycle; and

6 (3) "Street or highway" means the entire width between property
7 lines of every way or place of whatever nature when any part thereof is open
8 to the use of the public, as a matter of right, for purposes of vehicular
9 traffic.

10
11 27-37-803. Use prohibited.

12 (a) It is unlawful for any person to operate a motor vehicle or
13 motorcycle that uses nitrous oxide on a street or highway.

14 (b) A person who violates the provisions of this section is guilty of
15 a Class C misdemeanor.

16
17 SECTION 2. Arkansas Code § 27-50-302 is amended to read as follows:

18 27-50-302. Classification of traffic violations.

19 The following traffic law violations shall be known as offenses and
20 classified as indicated:

21 (1) Racing on a highway - Class A misdemeanor;

22 (2) Reckless driving - Class B misdemeanor;

23 (3) Driving with lights off to avoid detection, identification,
24 or apprehension - Class B misdemeanor;

25 (4) Hazardous driving - Class C misdemeanor;

26 (5) Leaving the scene of an accident involving property damage
27 only - Class C misdemeanor;

28 (6) Wrong way on one way - Class C misdemeanor;

29 (7) Speeding in excess of 15 MPH over posted speed limit - Class
30 C misdemeanor;

31 (8) Using nitrous oxide in a motor vehicle or motorcycle on a
32 street or highway - Class C misdemeanor; and

33 ~~(8)~~(9) More than three (3) violations in a twelve-month period -
34 Class C misdemeanor.

35
36 SECTION 3. Arkansas Code § 27-50-309 is amended to read as follows:

