1   State of Arkansas

A Bill

2   85th General Assembly

3   Regular Session, 2005   HOUSE BILL   2409

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5   By: Representative Harrelson

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8   **For An Act To Be Entitled**

9   AN ACT TO PROHIBIT THE USE OF AUTOMATED

10   ENFORCEMENT DEVICES TO ENFORCE TRAFFIC LAWS

11   EXCEPT IN LIMITED CIRCUMSTANCES; AND FOR OTHER

12   PURPOSES.

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14   **Subtitle**

15   TO PROHIBIT THE USE OF AUTOMATED

16   ENFORCEMENT DEVICES TO ENFORCE TRAFFIC

17   LAWS EXCEPT IN LIMITED CIRCUMSTANCES.

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20   BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

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22   SECTION 1. Arkansas Code Title 27, Chapter 50, Subchapter 5 is amended

23   to add an additional section to read as follows:

24   27-50-506. Use of automated enforcement devices prohibited.

25   (a) As used in this section:

26   (1)(A) "Automated enforcement device" means a system that:

27   (i) Uses a machine to automatically detect a

28   violation of a traffic law; and

29   (ii) Photographs or records an image of the vehicle

30   used in committing the violation, the operator of the vehicle, or the license

31   plate of the vehicle.

32   (B) "Automated enforcement device" shall not include a

33   machine that is:

34   (i) Held in the hand of a law enforcement officer;

35   (ii) Installed temporarily or permanently in a

36   vehicle owned or operated by a law enforcement agency; or

1   (iii)   Installed temporarily or permanently in a
2   facility owned or operated by a law enforcement agency; and
3   (2)   "Municipality" means a city of the first class, a city of
4   the second class, or an incorporated town.
5   (b)   An automated enforcement device shall not be used by a law
6   enforcement agency of a county, a law enforcement agency of a municipality,
7   or a department of state government to detect or enforce a violation of:
8   (1)   The traffic laws and regulations of the State of Arkansas;
9   or
10   (2)   The ordinances of a county or municipality.
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