

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 2834

4  
5 By: Representatives Pate, Cook, Edwards, J. Johnson, Sullivan, Verkamp

## For An Act To Be Entitled

9 AN ACT TO ESTABLISH A FINE FOR FAILURE TO PRESENT  
10 PROOF OF INSURANCE; AND FOR OTHER PURPOSES.

## Subtitle

13 AN ACT TO ESTABLISH A FINE FOR FAILURE  
14 TO PRESENT PROOF OF INSURANCE.

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

19 SECTION 1. Arkansas Code 27-22-104(c)(1), concerning failure to  
20 present proof of insurance, is amended to read as follows:

21 (c)(1)(A) If the operator of the motor vehicle is unable to present  
22 proof of the vehicle's insurance coverage as required in subsection (a) of  
23 this section when requested by a law enforcement officer or if a check of the  
24 vehicle insurance database at the time of the traffic stop fails to show  
25 current insurance coverage, the operator shall be issued, in addition to any  
26 traffic citation issued for a violation of this section, a notice of  
27 noncompliance with the provisions of this section on a form to be provided to  
28 the Department of Finance and Administration.

29 (B)(i)(a) If the operator of the motor vehicle proves that  
30 the liability coverage required by §§ 27-22-101 – 27-22-104 was in effect at  
31 the time of the traffic stop, then the failure to present proof of insurance  
32 at the time of the traffic stop when requested by a law enforcement officer  
33 shall be punished by a fine of twenty-five dollars (\$25.00). No court costs  
34 under § 16-10-305 or other costs or fees shall be assessed under this  
35 subdivision (c)(1)(B)(i)(a).

36 (b)(1) Eighty percent (80%) of the fines



1 collected under this subdivision (c)(1)(B)(i) shall be paid to the Treasurer  
2 of State for the benefit of the Arkansas Citizens First Responder Safety  
3 Enhancement Fund.

4 (2) Twenty percent (20%) of the fines  
5 collected under this subdivision (c)(1)(B)(i) shall be retained by the court  
6 that tries the offense.

7 (ii) If the operator of the motor vehicle is unable  
8 to prove that the liability coverage required by §§ 27-22-101 – 27-22-104 was  
9 in effect at the time of the traffic stop, then the failure to present proof  
10 of insurance at the time of the traffic stop when requested by a law  
11 enforcement officer shall be punished as provided under § 27-22-103.

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13 SECTION 2. Title 19, Chapter 6, Subchapter 4, is amended to add an  
14 additional section to read as follows:

15 19-6-495. Arkansas Citizens First Responder Safety Enhancement Fund.

16 There is established on the books of the Treasurer of State, the  
17 Auditor of State, and the Chief Financial Officer of the State a fund to be  
18 known as the "Arkansas Citizens First Responder Safety Enhancement Fund" to  
19 be used as appropriated by the General Assembly as follows:

20 (1) Fifty percent (50%) of the fund shall be used for emergency  
21 medical services; and

22 (2) Fifty percent (50%) of the fund shall be used for local law  
23 enforcement.

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