

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: H4/1/05
A Bill

HOUSE BILL 2834

5 By: Representatives Pate, Cook, Edwards, J. Johnson, Sullivan, Verkamp, *Adcock, T. Hutchinson,*
6 *Rankin, D. Johnson, Childers, Thompson*
7 By: *Senator Salmon*
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10 **For An Act To Be Entitled**

11 AN ACT TO ESTABLISH A FINE FOR FAILURE TO PRESENT
12 PROOF OF INSURANCE; AND FOR OTHER PURPOSES.
13

14 **Subtitle**

15 AN ACT TO ESTABLISH A FINE FOR FAILURE
16 TO PRESENT PROOF OF INSURANCE.
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19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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21 SECTION 1. Arkansas Code 27-22-104(c)(1), concerning failure to
22 present proof of insurance, is amended to read as follows:

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

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



1 subdivision (c)(1)(B)(i)(a).

2 (b)(1) Eighty percent (80%) of the fines
3 collected under this subdivision (c)(1)(B)(i) shall be paid to the Treasurer
4 of State for the benefit of the Arkansas Citizens First Responder Safety
5 Enhancement Fund.

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

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

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

17 19-6-495. Arkansas Citizens First Responder Safety Enhancement Fund.

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

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

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

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27 */s/ Pate, et al*
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