

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 86th General Assembly
3 Regular Session, 2007

A Bill

HOUSE BILL 1474

4
5 By: Representatives Hall, Abernathy, Anderson, T. Baker, T. Bradford, Breedlove, J. Brown, Cash,
6 Cook, Cornwell, Davis, Dunn, Edwards, L. Evans, Everett, Garner, George, Glidewell, Greenberg,
7 Hardwick, Harrelson, Hawkins, Hoyt, D. Hutchinson, J. Johnson, Kidd, Lovell, Lowery, Maloch, Medley,
8 Moore, Overbey, Patterson, Pierce, Powers, Ragland, Rainey, Reep, J. Roebuck, Rogers, Rosenbaum,
9 Sample, Shelby, Sullivan, Thyer, Wagner, Webb, Wells, Woods, Wyatt
10 By: Senator Madison

For An Act To Be Entitled

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12
13 AN ACT TO AMEND VARIOUS SECTIONS OF THE ARKANSAS
14 CODE CONCERNING THE SALE AND USE OF ROTATING,
15 FLASHING, OR OSCILLATING BLUE LIGHTS FOR LAW
16 ENFORCEMENT PURPOSES; AND FOR OTHER PURPOSES.
17

Subtitle

18
19 CONCERNING THE SALE AND USE OF ROTATING,
20 FLASHING, OR OSCILLATING BLUE LIGHTS FOR
21 LAW ENFORCEMENT PURPOSES.
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25 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

26
27 SECTION 1. Arkansas Code § 5-77-201 is amended to read as follows:
28 5-77-201. Blue light or blue lens cap sales.

29 (a)(1) It is unlawful to sell a blue light or blue lens cap to any
30 person, firm, or corporation other than a certified law enforcement officer
31 authorized by a federal, state, county, or city law enforcement agency or a
32 county coroner.

33 (2) It is unlawful for a person other than a certified law
34 enforcement officer authorized by a federal, state, county, or city law
35 enforcement agency or a county coroner to buy a blue light or blue lens cap.

36 (b) Before selling a blue light or blue lens cap, the seller shall



1 require the buyer to provide identification that legally demonstrates that
2 the buyer is a county coroner, or a certified law enforcement officer
3 authorized by a federal, state, county, or city law enforcement agency to buy
4 a blue light or blue lens cap ~~or a county coroner.~~

5 (c) Any sale of a blue light or blue lens cap shall be reported to the
6 Department of Arkansas State Police on a form prescribed by the department.

7 (d) A violation of this section is a Class D felony.

8 (e) As used in this section, "blue light" means an operable blue light
9 that:

10 (1) Is designed for use by an emergency vehicle, or is similar
11 in appearance to a blue light designed for use by an emergency vehicle; ~~and~~

12 (2) Can be operated by use of the vehicle's battery, the
13 vehicle's electrical system, ~~or a dry cell battery,~~ or other source of
14 electrical current; and

15 (3) Is designed to rotate, flash, or oscillate.

16

17 SECTION 2. Arkansas Code § 5-77-301 is repealed.

18 ~~5-77-301. Blue light sales.~~

19 ~~(a)(1) It is unlawful to sell or transfer a blue light to any person~~
20 ~~other than a certified law enforcement officer.~~

21 ~~(2) A sale or transfer of a blue light shall be reported to the~~
22 ~~Department of Arkansas State Police on a form prescribed by the department.~~

23 ~~(b) A violation of this section is a Class A misdemeanor.~~

24 ~~(c) As used in this section, "blue light" means an operable blue light~~
25 ~~that:~~

26 ~~(1) Is designed for use by an emergency vehicle, or is similar~~
27 ~~in appearance to a blue light designed for use by an emergency vehicle; and~~

28 ~~(2) Can be operated by use of the vehicle's battery, the~~
29 ~~vehicle's electrical system, or a dry cell battery.~~

30

31 SECTION 3. Arkansas Code § 27-36-301 is amended to read as follows:

32 27-36-301. Violations.

33 (a)(1) It shall be unlawful for any person, firm, or corporation to:

34 (A) Install, exhibit, activate, or operate a red or amber
35 rotating, ~~or flashing,~~ or oscillating light on any vehicle except as
36 otherwise provided by the statutes of the State of Arkansas; or

1 (B) ~~to~~ Install, exhibit, activate, or operate a flashing,
2 rotating, flashing, or oscillating purple light except during a funeral
3 procession.

4 (2) If any person affixes or has affixed any red or amber light
5 on any vehicle, this fact shall be prima facie proof that this person did
6 exhibit the light.

7 (3) A violation of this subsection (a) is a Class A misdemeanor.

8 (b)(1) ~~Except as otherwise provided by the statutes of the State of~~
9 ~~Arkansas, Unless otherwise authorized in writing by the chief law enforcement~~
10 ~~officer of the state, county, or city law enforcement agency with~~
11 ~~jurisdiction over the area in which the blue light is to be installed,~~
12 ~~exhibited, activated or rotated, it is unlawful for any person, firm, or~~
13 ~~corporation to install, exhibit, or activate or operate a rotating, flashing,~~
14 ~~or oscillating blue light:~~

15 (A) ~~in~~ In or on any vehicle in this state unless the
16 vehicle is owned or leased, and operated and maintained by a federal, state,
17 county, or city law enforcement agency; or

18 (B) In or on a building, sign, or post unless the
19 building, sign or post is owned or leased, and operated and maintained by a
20 federal, state, county, or city law enforcement agency and is used to
21 identify the location of the law enforcement agency; or

22 (C) ~~to~~ To possess in or on any vehicle in this state,
23 other than a vehicle owned or leased, and operated and maintained by a
24 federal, state, county, or city law enforcement agency, a blue light that is
25 not sealed in the manufacturer's original package.

26 (2) As used in this ~~section~~ subsection (b), "blue light" means
27 an operable blue light which:

28 (A) Is designed for use by an emergency vehicle, or is
29 similar in appearance to a blue light designed for use by an emergency
30 vehicle; ~~and~~

31 (B) Can be operated by use of the vehicle's battery, the
32 vehicle's electrical system, ~~or~~ a dry cell battery, or any other source of
33 electrical current; or

34 (C) Is designed to rotate, flash, or oscillate.

35 ~~(e)-(1)-(3)~~ (3) A violation of subsection (b) of this section shall be
36 a Class A ~~misdemeanor~~ D felony.

1 ~~(2) Violation of any other provision of this subchapter shall be~~
2 ~~considered a misdemeanor and shall be punishable by a fine of not less than~~
3 ~~ten dollars (\$10.00) nor more than one hundred dollars (\$100) for each~~
4 ~~offense.~~

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