

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
4

As Engrossed: H2/21/07

A Bill

HOUSE BILL 1474

5 By: Representatives Hall, Anderson, T. Baker, Breedlove, J. Brown, Cook, Cornwell, Davis, Dunn,
6 Edwards, L. Evans, Everett, Garner, George, Glidewell, Greenberg, Hardwick, Harrelson, Hawkins, Hoyt,
7 D. Hutchinson, J. Johnson, Kidd, Lovell, Lowery, Maloch, Medley, Moore, Overbey, Patterson, Pierce,
8 Powers, Ragland, Rainey, Reep, J. Roebuck, Rogers, Rosenbaum, Sample, Shelby, Sullivan, Thyer,
9 Wagner, Webb, Wells, Woods, Wyatt
10 By: Senator Madison
11
12

For An Act To Be Entitled

14 AN ACT TO AMEND VARIOUS SECTIONS OF THE ARKANSAS
15 CODE CONCERNING THE SALE AND USE OF ROTATING,
16 FLASHING, OR OSCILLATING BLUE LIGHTS FOR LAW
17 ENFORCEMENT PURPOSES; AND FOR OTHER PURPOSES.
18

Subtitle

19 CONCERNING THE SALE AND USE OF ROTATING,
20 FLASHING, OR OSCILLATING BLUE LIGHTS FOR
21 LAW ENFORCEMENT PURPOSES.
22
23
24

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.

