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	As Engrossed: H3/16/09	
2	87th General Assembly	A Bill	
3	Regular Session, 2009		HOUSE BILL 1256
4			
5	By: Representative Greenberg		
6			
7			
8	For An Act To Be Entitled		
9	AN ACT CONCERNING RACING MOTOR VEHICLES ON PUBLIC		
10	HIGHWAYS,	OBSERVING A RACE AS A SPECTATO	DR; AND
11	FOR OTHER	PURPOSES.	
12		C1-4-41 -	
13		Subtitle	
14		CONCERNING RACING MOTOR VEHICL	
15		LIC HIGHWAYS AND OBSERVING A RA	ACE
16	AS A SI	PECTATOR.	
17			
18 19	RE IT ENACTED BY THE GEN	NERAL ASSEMBLY OF THE STATE OF	ΔΡΚΔΝSΔS.
20	DE 11 EMACTED DI THE CEN	THE STATE OF THE STATE OF	manufid.
21	SECTION 1. Arkans	sas Code § 27-50-302, concernin	g the classification of
22	traffic violations, is amended to make minor clarifications and to add a new		
23	penalty classification t	co read as follows:	
24	27-50-302. Classi	ification of traffic violations	•
25	(a) The following	g traffic law violations shall	be known as offenses
26	and classified as indica	ated:	
27	(1) Racing	on a <u>public</u> highway — Class A	misdemeanor;
28	(2) Reckles	ss driving — Class B misdemeano	r;
29	(3) Driving	g with lights off to avoid dete	ction, identification,
30	or apprehension — Class B misdemeanor;		
31	(4) Hazardo	ous driving — Class C misdemean	or;
32	(5) Leaving	g the scene of an accident invo	lving property damage
33	only — Class C misdemeanor;		
34	(6) <u>Driving</u>	g the wrong Wrong way on a one-	way street — Class C
35	misdemeanor;		
36	(7) Speedin	ng in excess of fifteen miles p	er hour (15 m.p.h.)

1	over the posted speed limit — Class C misdemeanor;
2	(8) Using nitrous oxide in a motor vehicle or motorcycle on a
3	street or highway as prohibited under § $27-37-803-Class\ C$ misdemeanor; and
4	(9) Observing a drag race as a spectator on a public highway -
5	Class B misdemeanor.
6	$\frac{(9)}{(b)}$ More than three (3) violations in a twelve-month period — Class
7	C misdemeanor.
8	
9	SECTION 2. Arkansas Code § 27-50-309 is amended to read as follows:
10	27-50-309. Racing or observing a drag race as a spectator on \underline{a} public
11	highways highway.
12	(a) Upon conviction, any person driving a motor vehicle or motor
13	bicycle upon a public highway in this state in a race shall be punished as
14	prescribed in § 27-50-302.
15	(b)(l) It is unlawful and considered an additional offense for a
16	person to use nitrous oxide in a race on a public street or highway in this
17	state as prohibited under § 27-37-803.
18	(2) A person who pleads guilty or nolo contendere to or is found
19	guilty of a violation under subdivision (b)(1) of this section shall be
20	punished as prescribed under § 27-50-302.
21	(a) As used in this section:
22	(1) "Drag race" means:
23	(A) The operation of two (2) or more motor vehicles from a
24	point side-by-side at accelerating speeds in a competitive attempt to
25	outdistance each other;
26	(B) The operation of one (1) or more motor vehicles over a
27	common selected course, from the same point to the same point, for the
28	purpose of comparing the relative speeds or power of acceleration of the
29	motor vehicle or motor vehicles within a certain distance or time limit; and
30	(2) "Race" means the operation or use of one (1) or more motor
31	vehicles in an attempt to:
32	(A) Outgain or outdistance another motor vehicle;
33	(B) Arrive at a given destination ahead of another motor
34	vehicle or motor vehicles; or
35	(C) Test the physical stamina or endurance of drivers over
36	long-distance driving routes.

1	(b)(1) A person commits the crime of racing if he or she knowingly:
2	(A) Operates a motor vehicle in a race or drag race on a
3	public highway;
4	(B) Participates in, coordinates, facilitates, or collects
5	moneys at any location for any race or drag race on a public highway; or
6	(C) Rides as a passenger in or on a motor vehicle in any
7	race or drag race on a public highway.
8	(2) Racing is a Class A misdemeanor.
9	(c)(1) A person commits the crime of observing a drag race as a
10	spectator on a public highway if he or she with the purpose to observe a drag
11	race on a public highway:
12	(A) Is knowingly present at and purposely observes the
13	drag race or the preparation for the drag race; and
14	(B) Purposely demonstrates through active encouragement,
15	solicitation, promotion, assistance, facilitation, urging, or a request that
16	the drag race commence.
17	(2) Observing a drag race is a Class B misdemeanor.
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20	/s/ Greenberg
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