

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 87th General Assembly  
3 Regular Session, 2009  
4

As Engrossed: H3/13/09 H3/23/09

# A Bill

HOUSE BILL 2045

5 By: Representative Davenport  
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## For An Act To Be Entitled

9 AN ACT CONCERNING THE WEIGHT AND LENGTH OF  
10 EMERGENCY VEHICLES AND THE VEHICLES THAT ARE  
11 TOWED BY EMERGENCY VEHICLES; AND FOR OTHER  
12 PURPOSES.  
13

### Subtitle

15 CONCERNING THE WEIGHT AND LENGTH OF  
16 EMERGENCY VEHICLES AND THE MOTOR  
17 VEHICLES THAT ARE TOWED BY EMERGENCY  
18 VEHICLES.  
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20

21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
22

23 SECTION 1. Arkansas Code § 27-35-203, regarding single and tandem axle  
24 load limits, is amended to add an additional subsection to read as follows:

25 (j)(1) As used in this subsection, "emergency vehicle" means a wrecker  
26 or tow truck that:

27 (A) Holds a valid permit issued by the Arkansas Towing and  
28 Recovery Board under § 27-50-1203;

29 (B) Is equipped, designed, and used to assist or render  
30 aid and transport or tow disabled or wrecked vehicles from a highway, road,  
31 street, or highway right-of-way to:

32 (i) A point of storage or repair of the towing  
33 company;

34 (ii) The nearest transportation terminal of the  
35 owner or operator of the vehicle; or

36 (iii) The nearest authorized repair center for the



1 vehicle.

2 (2) Subject to the limit upon the weight imposed upon the  
 3 highway through any one (1) axle as set forth in subsections (a)-(c) of this  
 4 section, the gross weight of an emergency vehicle shall be determined as  
 5 provided under § 27-35-107(c)(2).

6 (3) Subject to the limit upon the weight imposed upon the  
 7 highway through any one (1) axle as set forth in subsections (a)-(c) of this  
 8 section, the gross weight of an emergency vehicle shall not be considered a  
 9 combination of vehicles.

10 (4) This subsection applies to all streets, roads, and highways  
 11 in the state subject to limitation on the national highway system if  
 12 determined by the Federal Highway Administrator under 23 C.F.R. § 657.21 to  
 13 conflict with weight limitations established under 23 U.S.C. § 127.

14  
 15 SECTION 2. Arkansas Code § 27-35-208(d)(1), regarding exceptions to  
 16 the limit on the length of vehicles, is amended to read as follows:

17 (d)(1) These length limitations ~~shall~~ do not apply to:

18 (A) Vehicles operated in the daytime when transporting  
 19 poles, pipes, machinery, or other objects of a structural nature ~~which~~ that  
 20 cannot readily be dismembered; ~~or~~

21 (B) Vehicles transporting objects operated at ~~nighttime~~  
 22 night by a public utility or its agents or by electric or telephone  
 23 cooperatives or their agents when required for emergency repair of public  
 24 facilities or properties or when operated under special permit as provided by  
 25 law; or

26 (C) Wreckers or tow trucks that hold a valid permit issued  
 27 by the Arkansas Towing and Recovery Board under § 27-50-1203 if the vehicle  
 28 is equipped, designed, and used to assist or render aid and transport or tow  
 29 disabled or wrecked vehicles from a highway, road, street, or highway right-  
 30 of-way to:

31 (i) A point of storage or repair of the towing  
 32 company;

33 (ii) The nearest transportation terminal of the  
 34 owner or operator of the vehicle; or

35 (iii) The nearest authorized repair center for the  
 36 vehicle.

1                   (2) In respect to night transportation, every vehicle and the  
2 load thereon shall be equipped with a sufficient number of clearance lamps on  
3 both sides and marker lamps ~~upon~~ on the extreme ends of any projecting load  
4 to clearly mark the dimensions of the load.

5                   (3) The exceptions to length limitations under this subsection  
6 (d) apply to all streets, roads, and highways in the state subject to  
7 limitation on the national highway system if determined by the Federal  
8 Highway Administrator under 23 C.F.R. § 657.21 to conflict with weight  
9 limitations established under 23 U.S.C. § 127.

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11   /s/ Davenport  
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