

1 State of Arkansas  
2 88th General Assembly  
3 Regular Session, 2011  
4

As Engrossed: H3/28/11

# A Bill

HOUSE BILL 2212

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

8 AN ACT TO REGULATE MOTOR CARRIERS IN RELATION TO  
9 WORKERS' COMPENSATION LAWS; AND FOR OTHER PURPOSES.  
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### Subtitle

11 TO REGULATE MOTOR CARRIERS IN RELATION TO  
12 WORKERS' COMPENSATION LAWS.  
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17 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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19 SECTION 1. Arkansas Code Title 11, Chapter 9, Subchapter 4 is amended  
20 to add an additional section to read as follows:

21 11-9-412. Motor carrier drivers.

22 (a) As used in this section:

23 (1) "Commercial motor vehicle" means a motor vehicle or  
24 combination of motor vehicles used in commerce to transport passengers or  
25 property;

26 (2) "Driver" means a person who operates a commercial motor  
27 vehicle;

28 (3) "Motor carrier" means a person, partnership, corporation, or  
29 limited liability company that provides truck transportation; and

30 (4) "Owner-operator" means a person, partnership, corporation,  
31 or limited liability company that owns or holds under a bona fide lease a  
32 commercial motor vehicle that is provided to a motor carrier.

33 (b)(1) Notwithstanding any other law, an owner-operator that provides a  
34 commercial motor vehicle and the services of a driver to a motor carrier  
35 under a written contract is not an employee of the motor carrier but is an  
36 independent contractor of the motor carrier.



