

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

A Bill

SENATE BILL 80

4
5 By: Senator J. Jeffress

For An Act To Be Entitled

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8 AN ACT TO ENSURE THAT PEDESTRIANS ARE NOT UNDULY
9 DISTRACTED WHILE OCCUPYING THE RIGHT-OF-WAY OF
10 STREETS AND ROADS; AND FOR OTHER PURPOSES.

Subtitle

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14 TO ENSURE THAT PEDESTRIANS ARE NOT
15 UNDULY DISTRACTED WHILE OCCUPYING THE
16 RIGHT-OF-WAY OF STREETS AND ROADS.

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19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

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21 SECTION 1. Arkansas Code Title 27, Chapter 51, Subchapter 12 is
22 amended to add an additional section to read as follows:

23 27-51-1206. Pedestrian awareness and safety.

24 (a) As used in this section:

25 (1)(A) "Headphone" means an electronic device that:

26 (i) Covers the ear or is inserted into the ear; and

27 (ii) Is used for listening to the radio, recorded
28 music, or other media.

29 (B) "Headphone" includes without limitation a headset, an
30 earpiece, or an earbud.

31 (C) "Headphone" does not include any device used to
32 amplify hearing, otherwise known as a hearing aid;

33 (2) "Pedestrian" means a person who engages in a sports activity
34 on, parallel to, or adjacent to:

35 (A) A street;

36 (B) A road;



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(C) A highway; or

(D) An intersection of a street, road, or highway; and

(3) "Sports activity" means a form of exercise and includes without limitation:

(A) Running;

(B) Jogging;

(C) Walking;

(D) Skating;

(E) Rollerblading;

(F) Skateboarding;

(G) Bicycling; and

(H) Using a non-motorized scooter.

(b)(1) A pedestrian shall not use a headphone on both ears while engaging in a sports activity.

(2) However, a pedestrian may lawfully use a headphone on only one (1) ear while engaging in a sports activity.