

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

As Engrossed: S3/15/11
A Bill

SENATE BILL 930

5 By: Senators Irvin, *R. Thompson*
6

7 **For An Act To Be Entitled**

8 AN ACT TO ALLOW GLOBAL POSITIONING DEVICES ON CERTAIN
9 STATE-OWNED VEHICLES; TO ALLOW RECORD KEEPING
10 REGARDING TRAVEL IN CERTAIN STATE-OWNED VEHICLES; TO
11 ALLOW FOR FREEDOM OF INFORMATION ACT OF 1967 REQUESTS
12 REGARDING THE SPECIFIC TRAVEL OF A STATE-OWNED
13 VEHICLE; AND FOR OTHER PURPOSES.
14

15 **Subtitle**

16 TO ALLOW GLOBAL POSITIONING DEVICES ON
17 CERTAIN STATE-OWNED VEHICLES AND TO ALLOW
18 RECORD KEEPING REGARDING TRAVEL IN
19 CERTAIN STATE-OWNED VEHICLES.
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23 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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25 SECTION 1. Arkansas Code Title 22, Chapter 8, Subchapter 1 is amended
26 to add a new section to read as follows:

27 22-8-105. Global positioning devices on certain state-owned vehicles.

28 (a) As used in this section "global positioning device" means a device
29 that can access a global navigation satellite system or that uses radio
30 frequency information technology and provides reliable location and time
31 information and is capable of recording the travel and location of a vehicle.

32 (b)(1) Unless the state-owned vehicle is exempted by this section, a
33 global positioning device may be installed on a state-owned vehicle.

34 (2) The Department of Finance and Administration may keep
35 records of each state-owned vehicle's travels and locations as recorded by
36 the global positioning device.



1 (c) A state-owned vehicle used by the following is exempt from the
2 requirements of this section:

3 (1)(A) A state agency that uses the state-owned vehicle for law
4 enforcement purposes.

5 (B) A state-owned vehicle used by an employee of the
6 Department of Correction is not considered as being used for law enforcement
7 purposes, except for a state-owned vehicle used by the Director of the
8 Department of Correction or a state-owned vehicle used by a warden of an
9 individual housing unit within the Department of Correction.

10 (C) A state-owned vehicle used by an employee of the
11 Department of Community Correction is not considered as being used for law
12 enforcement purposes.

13 (D) A state-owned vehicle used by an employee of the
14 Arkansas State Game and Fish Commission is not considered as being used for
15 law enforcement purposes except for a state-owned vehicle used by a game
16 warden or by a certified law enforcement officer of the commission;

17 (2) The Governor;

18 (3) The Lieutenant Governor;

19 (4) The Attorney General;

20 (5) The Secretary of State;

21 (6) The Treasurer of State;

22 (7) The Commissioner of State Lands;

23 (8) The Auditor of State;

24 (9) The Speaker of the House of Representatives;

25 (10) The President Pro Tempore of the Senate;

26 (11) A prosecuting attorney;

27 (12) A county sheriff; or

28 (13) A member of the Parole Board.

29 (d)(1) The records kept by the Department of Finance and
30 Administration under this section are subject to disclosure under the Freedom
31 of Information Act of 1967, § 25-19-101 et seq.

32 (2) However, disclosure shall not be made for the travels or
33 locations of any state-owned vehicle under this section until thirty (30)
34 days have elapsed after the travel or after the state-owned vehicle was at
35 the location.

36 (e) The records kept by the Department of Finance and Administration

1 under this section are subject to audit by the Division of Legislative Audit
2 and shall be kept for at least five (5) years.

3 (f)(1) It is unlawful to purposely turn off or otherwise disable a
4 global positioning device installed on a state-owned vehicle.

5 (2) A violation of subdivision (f)(1) of this section is a Class
6 A misdemeanor.

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/s/ Irvin

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