

1 State of Arkansas
2 89th General Assembly
3 Regular Session, 2013

A Bill

SENATE BILL 1023

4
5 By: Senator K. Ingram
6

For An Act To Be Entitled

8 AN ACT TO MAKE ARKANSAS HIGHWAYS SAFER BY PROVIDING
9 FOR THE COMMERCIAL TRUCK SAFETY AND EDUCATION FUND;
10 TO PROVIDE SPECIAL REVENUES FOR THE FUND; AND FOR
11 OTHER PURPOSES.

Subtitle

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14 TO ESTABLISH THE COMMERCIAL TRUCK SAFETY
15 AND EDUCATION FUND; AND TO PROVIDE
16 SPECIAL REVENUES FOR THE FUND.
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20 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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22 SECTION 1. DO NOT CODIFY. Legislative findings and intent.

23 The General Assembly finds that:

24 (1) There are no programs jointly involving the trucking
25 industry and the Arkansas State Highway and Transportation Department to
26 ensure improved commercial truck safety on state highways. Furthermore, no
27 studies exist on ways to improve the efficiencies of freight movement that
28 could improve highway safety;

29 (2) Dedicating funding for these purposes could enable the
30 industry and state government to create such programs. Additionally, the
31 industry and the department could benefit from research specific to freight
32 movement, regulatory compliance, education, and training; and

33 (3) The purpose of this act is to advance state interests in
34 roadway safety by proposing to improve the safety of the commercial truck
35 industry through cooperative public private programs that focus on increased
36 enforcement, regulatory compliance, industry training, and educational



1 programs to ensure the safe movement of goods on Arkansas highways.

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3 SECTION 2. Arkansas Code Title 19, Chapter 6, Subchapter 8, is amended
4 to add an additional section to read as follows:

5 19-6-819. Commercial Truck Safety and Education Fund.

6 (a) There is created on the books of the Treasurer of State, Auditor
7 of State, and Chief Fiscal Officer of the State, a special revenue fund to be
8 known as the "Commercial Truck Safety and Education Fund".

9 (b)(1) The first two million dollars (\$2,000,000) of the fee charged
10 under § 27-14-601(a)(3)(G)(ii) shall be deposited into the State Treasury to
11 the credit of the fund as special revenues.

12 (2) The fund shall also consist of any other revenues as may be
13 authorized by law.

14 (c) The fund shall be used by the Arkansas State Highway and
15 Transportation Department to improve the safety of the commercial truck
16 industry through cooperative public private programs that focus on increased
17 enforcement, regulatory compliance, industry training, and educational
18 programs to ensure the safe movement of goods on state highways.

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20 SECTION 3. Arkansas Code § 27-14-601(a)(3)(G)(ii), concerning fees for
21 registration and licensing of motor vehicles, is amended to read as follows:

22 (ii)(a) On all such vehicles with a gross loaded
23 weight between seventy-three thousand, two hundred eighty-one pounds (73,281
24 lbs.) and eighty thousand pounds (80,000 lbs.), the fee to be charged shall
25 be one thousand three hundred fifty dollars (\$1,350)†.

26 (b) In addition to the fee set forth in
27 subdivision (a)(3)(G)(ii)(a) of this section and on all vehicles registered
28 with the International Registration Plan to be engaged in interstate commerce
29 with a gross loaded weight between seventy-three thousand, two hundred
30 eighty-one pounds (73,281 lbs.) and eighty thousand pounds (80,000 lbs.), an
31 additional fee to be fifteen percent (15%) of the amount charged in
32 subdivision (a)(3)(G)(ii)(a) of this section;

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34 SECTION 4. Arkansas Code § 27-14-601(d), concerning fees for
35 registration and licensing of motor vehicles, is amended to read as follows:

36 (d)(1) All taxes, fees, penalties, interest, and other amounts

1 collected under the provisions of this section, ~~with the exception of that~~
 2 ~~portion of the fee declared to be a permit fee and collected pursuant to~~
 3 ~~subdivision (a)(3)(H)(ii)(f) of this section~~ except those set forth in
 4 subdivision (d)(3) of this section, shall be classified as special revenues
 5 and shall be deposited in the State Treasury. After deducting the amount to
 6 be credited to the Constitutional Officers Fund and the State Central
 7 Services Fund as provided under the Revenue Stabilization Law, § 19-5-101 et
 8 seq., the Treasurer of State shall transfer on the last business day of each
 9 month:

10 (A) Fifteen percent (15%) of the amount thereof to the
 11 County Aid Fund;

12 (B) Fifteen percent (15%) of the amount thereof to the
 13 Municipal Aid Fund; and

14 (C) Seventy percent (70%) of the amount thereof to the
 15 State Highway and Transportation Department Fund.

16 (2) The funds shall be further disbursed in the same manner and
 17 used for the same purposes as set out in the Arkansas Highway Revenue
 18 Distribution Law, § 27-70-201 et seq.

19 (3)(A) The following shall be excepted from the requirements of
 20 subdivision (d)(1) of this section:

21 (i) The first two million dollars (\$2,000,000) of
 22 the fee charged under subdivision (a)(3)(G)(ii) of this section; and

23 (ii) That portion of the fee declared to be a permit
 24 fee and collected under subdivision (a)(3)(H)(ii)(f) of this section.

25 (B)(i) The first two million dollars (\$2,000,000) of the
 26 fee charged under subdivision (a)(3)(G)(ii) of this section shall be
 27 classified as special revenues and shall be deposited in the State Treasury.

28 (ii) The Treasurer of State shall transfer on the
 29 last business day of each month all money paid under this subdivision
 30 (d)(3)(B) to the Commercial Truck Safety and Education Fund to be used to
 31 improve the safety of the commercial trucking industry through cooperative
 32 public and private programs that focus on increased enforcement, regulatory
 33 compliance, industry training, and educational programs to ensure the safe
 34 movement of goods on state highways.

35 (4) That portion of the annual license fee collected pursuant to
 36 subdivision (a)(3)(H)(ii)(f) of this section declared to be a permit fee

1 shall be classified as special revenues and shall be deposited in the State
2 Treasury. The Treasurer of State shall transfer on the last business day of
3 each month all of such portions of such annual license fees to the State
4 Highway and Transportation Department Fund to be utilized for the
5 construction, reconstruction, and maintenance of highways and bridges in the
6 state highway system.

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