

1 State of Arkansas
2 91st General Assembly
3 Regular Session, 2017
4

A Bill

SENATE BILL 144

5 By: Senator Bond
6 By: Representative Tucker
7

For An Act To Be Entitled

9 AN ACT TO ENHANCE THE PENALTIES FOR ENGAGING IN
10 WIRELESS INTERACTIVE COMMUNICATION WHILE OPERATING A
11 MOTOR VEHICLE IN CERTAIN CIRCUMSTANCES; AND FOR OTHER
12 PURPOSES.
13

Subtitle

16 TO ENHANCE THE PENALTIES FOR ENGAGING IN
17 WIRELESS INTERACTIVE COMMUNICATION WHILE
18 OPERATING A MOTOR VEHICLE IN CERTAIN
19 CIRCUMSTANCES.
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22 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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24 SECTION 1. Arkansas Code Title 27, Chapter 51, Subchapter 15, is
25 amended to add an additional section to read as follows:

26 27-51-1507. Additional Penalties – Collision or accident.

27 If a person pleads guilty or nolo contendere to or the finder of fact
28 determines that the person was involved in a collision or accident resulting
29 in property damage, physical injury or death to a person while in violation
30 of this subchapter, a court shall:

31 (1) In addition to any other sentence, assess an additional fine
32 of:

33 (A) No less than one hundred fifty dollars (\$150) and no
34 more than one thousand dollars (\$1,000) for the first offense;

35 (B) No less than four hundred dollars (\$400) and no more
36 than three thousand dollars (\$3,000) for the second offense occurring within



1 five (5) years of the first offense; and

2 (C) No less than nine hundred dollars (\$900) and no more
 3 than five thousand dollars (\$5,000) for the third or subsequent offense
 4 occurring within five (5) years of the first offense; and

5 (2)(A) Prepare and transmit to the Department of Finance and
 6 Administration an order of denial of driving privileges for the person within
 7 twenty-four (24) hours after the plea or finding.

8 (B) In a case of extreme and unusual hardship, the order
 9 under subdivision (2)(A) of this section may provide for the issuance of a
 10 restricted driving permit to allow driving to and from a place of employment
 11 or driving to and from school.

12 (C) Upon receipt of an order under subdivision (2)(A) of
 13 this section, the department shall suspend the person's motor vehicle
 14 operator license for twelve (12) months.

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 16 SECTION 2. Arkansas Code Title 27, Chapter 51, Subchapter 16, is
 17 amended to add an additional section to read as follows:

18 27-51-1611. Additional Penalties – Collision or accident.

19 If a person pleads guilty or nolo contendere to or the finder of fact
 20 determines that the person was involved in a collision or accident resulting
 21 in property damage, physical injury or death to a person while in violation
 22 of this subchapter, a court shall:

23 (1) In addition to any other sentence, assess an additional fine
 24 of:

25 (A) No less than one hundred fifty dollars (\$150) and no
 26 more than one thousand dollars (\$1,000) for the first offense;

27 (B) No less than four hundred dollars (\$400) and no more
 28 than three thousand dollars (\$3,000) for the second offense occurring within
 29 five (5) years of the first offense; and

30 (C) No less than nine hundred dollars (\$900) and no more
 31 than five thousand dollars (\$5,000) for the third or subsequent offense
 32 occurring within five (5) years of the first offense; and

33 (2)(A) Prepare and transmit to the Department of Finance and
 34 Administration an order of denial of driving privileges for the person within
 35 twenty-four (24) hours after the plea or finding.

36 (B) In a case of extreme and unusual hardship, the order

1 under subdivision (2)(A) of this section may provide for the issuance of a
2 restricted driving permit to allow driving to and from a place of employment
3 or driving to and from school.

4 (C) Upon receipt of an order under subdivision (2)(A) of
5 this section, the department shall suspend the person's motor vehicle
6 operator license for twelve (12) months.

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