

1 State of Arkansas
2 92nd General Assembly
3 Regular Session, 2019
4

As Engrossed: H3/13/19

A Bill

HOUSE BILL 1448

5 By: Representative Watson
6

For An Act To Be Entitled

8 AN ACT TO AMEND THE LAW CONCERNING MOTOR CARRIERS; TO
9 CLARIFY A DRIVER'S WORKER STATUS IN CERTAIN
10 SITUATIONS; AND FOR OTHER PURPOSES.
11

Subtitle

12 TO AMEND THE LAW CONCERNING MOTOR
13 CARRIERS; AND TO CLARIFY A DRIVER'S
14 WORKER STATUS IN CERTAIN SITUATIONS.
15
16
17
18

19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
20

21 SECTION 1. Arkansas Code Title 23, Chapter 13, Subchapter 1, is
22 amended to add an additional section to read as follows:

23 23-13-101. Use of motor carrier safety improvement – Worker status
24 unchanged.

25 (a) As used in this section:

26 (1) "Motor carrier safety improvement" means any device,
27 equipment, software, technology, procedure, training, policy, program, or
28 operational practice intended and primarily used to improve or facilitate:

29 (A) Compliance with traffic safety or motor carrier safety
30 laws;

31 (B) Motor vehicle safety;

32 (C) The safety of an operator of a motor vehicle; or

33 (D) The safety of a third-party public roadway user; and

34 (2) "Worker status" means the classification under any state law
35 of a motor vehicle driver who engages in the transportation of property for
36 compensation as an agent, employee, jointly employed employee, borrowed



1 servant or independent contractor for a motor carrier.

2 (b) The deployment, implementation, or use of a motor carrier safety
3 improvement by, or as required by, a motor carrier or its related entity,
4 including by contract, does not, in whole or in part, affect, impact, or
5 change the worker status of a driver.

6

7

/s/Watson

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

26

27

28

29

30

31

32

33

34

35

36