

1 State of Arkansas
2 93rd General Assembly
3 Regular Session, 2021
4

A Bill

HOUSE BILL 1874

5 By: Representative Ladyman
6

For An Act To Be Entitled

8 AN ACT CONCERNING THE ARKANSAS SPEED TRAP LAW; AND
9 FOR OTHER PURPOSES.
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Subtitle

12 CONCERNING THE ARKANSAS SPEED TRAP LAW.
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16 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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18 SECTION 1. Arkansas Code § 12-8-403(b), concerning the statutory
19 presumptions that a municipality is conducting an unlawful speed trap, is
20 amended to read as follows:

21 (b) It is presumed that the affected municipality is abusing police
22 power by conducting an unlawful speed trap upon a finding by the director
23 that:

24 (1) The If the municipality has a four-lane divided state
25 highway with the state posted speed limit not reduced inside the municipal
26 limits, the amount of revenue for the affected municipality exceeded thirty
27 percent (30%) of the affected municipality's total expenditures, less capital
28 expenditures, water department expenditures, sewer department expenditures,
29 fiduciary fund expenditures, enterprise fund expenditures, and debt service,
30 in the preceding year;

31 (2) If the municipality does not have a four-lane divided state
32 highway with the state posted speed limit not reduced inside the municipal
33 limits, the amount of revenue for the affected municipality exceeded thirty
34 percent (30%) of the affected municipality's total expenditures, less capital
35 expenditures, fiduciary fund expenditures, enterprise fund expenditures, and
36 debt service, in the preceding year; or



1 ~~(2)~~(3) More than fifty percent (50%) of the summons written for
2 the traffic offense of speeding that is a misdemeanor, a violation of state
3 law, or a violation of a local ordinance in the affected municipality are
4 written for speed limit violations that are ten miles per hour (10 m.p.h.) or
5 less than the posted speed limit.

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