

State of Arkansas  
94th General Assembly  
Regular Session, 2023

# A Bill

HOUSE BILL 1561

By: Representative C. Fite  
By: Senator J. English

## For An Act To Be Entitled

AN ACT TO AMEND THE LAW CONCERNING THE PENALTIES FOR  
MOVING VIOLATIONS IN HIGHWAY WORK ZONES; TO CREATE  
ADDITIONAL PENALTIES FOR TRAFFIC VIOLATIONS RESULTING  
IN INJURY OR DEATH OF CONSTRUCTION PERSONNEL; AND FOR  
OTHER PURPOSES.

## Subtitle

TO AMEND THE LAW CONCERNING THE PENALTIES  
FOR MOVING VIOLATIONS IN HIGHWAY WORK  
ZONES; AND TO CREATE ADDITIONAL PENALTIES  
FOR TRAFFIC VIOLATIONS RESULTING IN  
INJURY OR DEATH OF CONSTRUCTION  
PERSONNEL.

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

SECTION 1. Arkansas Code Title 27, Chapter 50, Subchapter 4, is  
amended to add an additional section to read as follows:

27-50-409. Injury to construction personnel - Penalties - Definitions.

(a) As used in this section:

(1) "Construction personnel" means an employee of the Arkansas  
Department of Transportation or the counties or municipalities of this state  
or a contractor of the State Highway Commission or the counties or  
municipalities of this state; and

(2) "Highway work zone" means the area upon or adjacent to any  
highway, road, or street of this state where construction, reconstruction,



1 maintenance, or any other type of work is being performed by a construction  
2 personnel.

3 (b) A person who commits a moving traffic violation while the person  
4 is driving through a highway work zone in this state upon conviction is  
5 guilty of a:

6 (1) Class A misdemeanor, in the event the moving traffic  
7 violation results in physical injury to a member of construction personnel;  
8 and

9 (2) Class C felony, in the event the moving traffic violation  
10 results in the death of a member of construction personnel.