

1 State of Arkansas
2 94th General Assembly
3 Regular Session, 2023
4

A Bill

SENATE BILL 417

5 By: Senator G. Stubblefield
6 By: Representative Richmond
7

For An Act To Be Entitled

9 AN ACT TO AMEND THE LAW CONCERNING CIVIL LIABILITY
10 FOR DAMAGE CAUSED BY MOTOR VEHICLES OPERATED ON
11 CERTAIN PUBLIC BRIDGES; AND FOR OTHER PURPOSES.
12
13

Subtitle

15 TO AMEND THE LAW CONCERNING CIVIL
16 LIABILITY FOR DAMAGE CAUSED BY MOTOR
17 VEHICLES OPERATED ON CERTAIN PUBLIC
18 BRIDGES.
19
20

21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
22

23 SECTION 1. Arkansas Code § 27-66-501(e), concerning the weight limits
24 of motor vehicles operated on public bridges and liability for damage, is
25 amended to read as follows:

26 (e)(1) Even if authorized by an overweight permit issued by the
27 Arkansas Department of Transportation, a person or an owner operating,
28 driving, or moving a vehicle, an object, or a contrivance upon a public
29 bridge shall be liable for all damage that the public bridge may sustain as a
30 result of:

31 ~~(1)(A)~~ Careless, negligent, or illegal operation, driving, or
32 moving of a vehicle, an object, or a contrivance; or

33 ~~(2)(B)~~ Operation, driving, or moving of a vehicle, object, or
34 contrivance of excessive width or weighing in excess of the maximum weight
35 limits in this chapter.

36 (2) A person or an owner operating, driving, or moving a



1 vehicle, an object, or a contrivance upon a public bridge shall be civilly
2 liable for the recoverable damages under § 27-66-504(b).

3
4 SECTION 2. Arkansas Code § 27-66-504, concerning civil liability for
5 damages, is amended to add an additional subsection to read as follows:

6 (b) When a public bridge or part of a public bridge is destroyed or
7 damaged to the extent that the public bridge cannot be used safely, the
8 person convicted of a violation of § 27-66-501 shall be civilly liable to the
9 proper county or road improvement district for the following recoverable
10 damages, including without limitation:

11 (1) The cost of replacement of the public bridge or part of the
12 public bridge without factoring in depreciation of the destroyed public
13 bridge;

14 (2) The cost of removal of the damaged structure or debris; and

15 (3) Costs and reasonable attorneys fees incurred in the pursuit
16 and collection of the recoverable damages available under this section.