

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

As Engrossed: S3/28/23

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.
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Subtitle

15 TO AMEND THE LAW CONCERNING CIVIL
16 LIABILITY FOR DAMAGE CAUSED BY MOTOR
17 VEHICLES OPERATED ON CERTAIN PUBLIC
18 BRIDGES.
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21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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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~~ posted*
35 *weight limits ~~in this chapter.~~*

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



1 vehicle, object, or contrivance weighing in excess of the posted weight limit
2 upon a public bridge shall be civilly liable for the recoverable damages
3 under § 27-66-504(b).

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

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

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

15 (2) The cost of removal of the damaged structure or debris.

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17 /s/G. Stubblefield
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