

Stricken language would be deleted from and underlined language would be added to law as it existed prior to the 82nd General Assembly.

1 State of Arkansas
2 82nd General Assembly
3 Regular Session, 1999

As Engrossed: H1/27/99 H2/3/99

A Bill

HOUSE BILL 1140

4
5 By: Representatives Wilkins, Harris, L. Thomas, Jacobs, Wood, Bevis, G. Jeffress, C. Johnson,
6 Bennett, Green, Shoffner, Agee, J. Lewellen, Judy

For An Act To Be Entitled

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10 "AN ACT TO AMEND ARKANSAS CODE § 5-65-105 TO PROVIDE
11 ADDITIONAL PENALTIES FOR THE OPERATION OF A MOTOR
12 VEHICLE DURING PERIOD OF LICENSE SUSPENSION; AND FOR
13 OTHER PURPOSES. "

Subtitle

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16 "TO PROVIDE ADDITIONAL PENALTIES FOR THE
17 OPERATION OF A MOTOR VEHICLE DURING
18 PERIOD OF LICENSE SUSPENSION. "

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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 5-65-105 is amended to read as follows:

24 "5-65-105. Operation of motor vehicle during period of license
25 suspension or revocation.

26 (a) Any person whose privilege to operate a motor vehicle has been
27 suspended or revoked under the provisions of this act, who shall, during the
28 period of such suspension or revocation, operate a motor vehicle in this
29 state, shall be imprisoned for ten (10) days *for the first offense, fifteen*
30 *(15) days for the second offense, and twenty (20) days for third and*
31 *subsequent offenses occurring within three (3) years of the first offense.*

32 (b) Any law enforcement officer stopping a person for a second or
33 subsequent offense of operating a motor vehicle during the period of a license
34 suspension or revocation under the provisions of this act, shall immediately
35 impound the motor vehicle being driven by the offender and have it removed to
36 a safe storage area. However, if the driver is the owner of the vehicle, the

1 officer shall release the vehicle to any person, other than the driver, at the
 2 site of the arrest if so requested by the driver. If the driver is not the
 3 owner of the vehicle, but is accompanied by the owner of the vehicle, the
 4 officer shall release the vehicle to its owner. The offender shall be
 5 responsible for all costs incurred by the impoundment and storage of the motor
 6 vehicle in addition to all other penalties assessed by the court.

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 8 SECTION 2. All provisions of this act of a general and permanent nature
 9 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code
 10 Revision Commission shall incorporate the same in the Code.

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 12 SECTION 3. If any provision of this act or the application thereof to
 13 any person or circumstance is held invalid, such invalidity shall not affect
 14 other provisions or applications of the act which can be given effect without
 15 the invalid provision or application, and to this end the provisions of this
 16 act are declared to be severable.

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 18 SECTION 4. All laws and parts of laws in conflict with this act are
 19 hereby repealed.

20 */s/ Wilkins, et al*

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