

1 State of Arkansas  
2 95th General Assembly  
3 Regular Session, 2025  
4

# A Bill

HOUSE BILL 1564

5 By: Representative Long  
6 By: Senator Caldwell  
7

## For An Act To Be Entitled

8  
9 AN ACT TO MODIFY MOTOR VEHICLE RACING FACILITY  
10 PERMITS IN CERTAIN RURAL LOCATIONS; TO SET CERTAIN  
11 RESTRICTIONS ON A MOTOR VEHICLE RACING FACILITY IN  
12 CERTAIN RURAL LOCATIONS; TO DECLARE AN EMERGENCY; AND  
13 FOR OTHER PURPOSES.  
14  
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## Subtitle

16  
17 TO MODIFY MOTOR VEHICLE RACING FACILITY  
18 PERMITS AND TO SET CERTAIN RESTRICTIONS  
19 ON A MOTOR VEHICLE RACING FACILITY IN  
20 CERTAIN RURAL LOCATIONS; AND TO DECLARE  
21 AN EMERGENCY.  
22

23 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
24

25 SECTION 1. Arkansas Code § 8-10-305 is amended to read as follows:

26 8-10-305. Motor vehicle racing facilities in certain rural locations –  
27 Definition.

28 (a) As used in this section, “motor vehicle racing facility” means any  
29 facility or all-terrain recreational park designed and used for competitive  
30 racing by:

31 (1) Automobiles ~~automobiles~~ or trucks that are modified for  
32 racing;

33 (2) All-terrain vehicles as defined in § 27-21-102;

34 (3) All-terrain vehicles that are modified for racing;

35 (4) Motorcycles;

36 (5) Motorcycles that are modified for racing; or



1           (6) Automobiles or trucks that are not modified for racing.

2           (b) Sections 8-10-302 – 8-10-304 do not apply to a new motor vehicle  
3 racing facility constructed and initially permitted after August 31, 2021,  
4 and located:

5           (1) In an unincorporated area or town that is one (1) mile or  
6 more from the boundary of a city of the first class or city of the second  
7 class; or

8           (2)(A) If subject to subdivision (b)(1) of this section, in an  
9 area in which the mayor of the city of the first class or city of the second  
10 class provides a written waiver to subdivision (b)(1) of this section.

11           (B) If the area involves more than one (1) city of the  
12 first class or city of the second class, a written waiver under subdivision  
13 (b)(2)(A) of this section from the mayors of each city involved is required.

14           (c)(1) A person proposing to construct a motor vehicle racing facility  
15 under subsection (b) of this section may apply to the ~~county judge~~ quorum  
16 court for issuance of a motor vehicle racing facility permit by filing a  
17 permit application with the county clerk that shall contain a written  
18 proposal for the motor vehicle racing facility that includes:

19           (A) A description of the types of motor vehicles proposed  
20 for racing at the motor vehicle racing facility;

21           (B)(i) The maximum projected noise level of the motor  
22 vehicles proposed for racing at the motor vehicle racing facility.

23                   (ii) A motor vehicle racing facility permit shall  
24 not be granted for a motor vehicle racing facility that exceeds a maximum  
25 noise level of seventy-five decibels (75 dB) at the property line of the  
26 motor vehicle racing facility;

27           (C) A description of the kinds of races and the types of  
28 buildings, stands, or other physical plants proposed for the motor vehicle  
29 racing facility;

30           (D) Estimates of traffic counts and numbers of spectators  
31 at the proposed motor vehicle racing facility; ~~and~~

32           (E)(i) Proof of liability insurance providing coverage in  
33 an amount of no less than one million dollars (\$1,000,000).

34                   (ii) Proof of renewals of the liability insurance  
35 described in subdivision (c)(1)(E)(i) of this section shall be filed with the  
36 county clerk; and

1                   ~~(E)~~(F) Any other relevant information as may be determined  
2 necessary for the motor vehicle racing facility permit application by the  
3 ~~county judge quorum court~~, including without limitation the hours of  
4 operation, an assurance of liability insurance, and other information related  
5 to operation of the motor vehicle racing facility.

6                   (2) For the initial permit application for a new motor vehicle  
7 racing facility to be constructed, the applicant shall provide sufficient  
8 information on the environmental impact of the proposed motor vehicle racing  
9 facility.

10                   (3)(A) The ~~county judge quorum court~~ shall set a date for a  
11 public hearing to be held on the proposed motor vehicle racing facility  
12 permit that shall not be fewer than thirty (30) days after the filing of the  
13 initial motor vehicle racing facility permit application.

14                   (B)(i) Notice of the public hearing under subdivision  
15 (c)(3)(A) of this section shall be:

16                                   (a) Placed ~~placed~~ on the county-owned or  
17 affiliated website or published through other means as directed by the ~~county~~  
18 judge quorum court at the expense of the applicant; and

19                                   (b) Mailed to all property owners and  
20 residents within a radius of three (3) miles of the proposed motor vehicle  
21 racing facility.

22                                   (ii) The public hearing under subdivision (c)(3)(A)  
23 of this section for the initial motor vehicle racing facility permit may be  
24 adjourned and continued if necessary.

25                   (C) The ~~county judge may~~ quorum court shall hold public  
26 hearings for the renewal of a motor vehicle racing facility permit as  
27 necessary.

28                   (D) Any interested persons may appear at a public hearing  
29 under this subdivision (c)(3) and contest the granting of an approval or  
30 renewal of a motor vehicle racing facility permit.

31                   (4) Affidavits in support of or against the proposed motor  
32 vehicle racing facility or the renewal of a motor vehicle racing facility  
33 permit may be prepared and submitted and filed with the county clerk to be  
34 provided to the ~~county judge~~ quorum court for consideration during the public  
35 hearing.

36                   (d)(1) After the public hearing for the initial motor vehicle racing

1 facility permit or upon application for the annual renewal of the motor  
2 vehicle racing facility permit, ~~if the county judge is satisfied that the~~  
3 ~~benefits of the motor vehicle racing facility are sustained by proof and~~  
4 ~~outweigh the impact of the noise, air pollution, and traffic congestion~~  
5 ~~caused by the motor vehicle racing facility, then the county judge may the~~  
6 ~~quorum court shall vote to:~~

7 (A) Grant or deny the initial motor vehicle racing  
8 facility permit approving the proposed motor vehicle racing facility; or

9 (B) Renew or deny the renewal of the motor vehicle racing  
10 facility permit.

11 (2) The ~~county judge~~ quorum court may deny the renewal of a  
12 motor vehicle racing facility permit if the motor vehicle racing facility is:

13 (A) Determined to be in violation of any standards under  
14 which the motor vehicle racing facility permit was issued; or

15 (B) Constructed or is being operated in a manner that is  
16 materially different than was represented during the initial application  
17 process.

18 (3) The quorum court shall set quiet hours for the motor vehicle  
19 racing facility to be between 9:00 p.m. and 6:00 a.m.

20 (e) If any material changes, additions, or improvements are made to  
21 the motor vehicle racing facility, the motor vehicle racing facility permit  
22 shall be amended accordingly, and the ~~county judge~~ quorum court may  
23 reconsider the approval of the motor vehicle racing facility permit.

24 (f) A motor vehicle racing facility permit issued under this section  
25 shall be renewed annually.

26 (g) The ~~county judge~~ quorum court may issue any necessary requirements  
27 and procedures to implement this section, including setting a motor vehicle  
28 racing facility permit fee to recover the cost of issuing a motor vehicle  
29 racing facility permit.

30 (h) Due to the noise pollution and air pollution from the motor  
31 vehicles and traffic congestion caused by motor vehicle racing facilities, a  
32 motor vehicle racing facility shall not be permitted or constructed under  
33 this section within one (1) mile of the boundary of another county.

34 (i) There shall be a fine in the amount of one thousand dollars  
35 (\$1,000) per day if the motor vehicle racing facility violates this section  
36 or does not comply with the requirements of the motor vehicle racing facility

1 permit.

2 (j) This section does not prohibit neighboring property owners to sue  
3 for loss of property value and quality of life or preclude standing of a  
4 neighboring property owner.

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6 SECTION 2. EMERGENCY CLAUSE. It is found and determined by the  
7 General Assembly of the State of Arkansas that motor vehicle racing  
8 facilities have become increasing problematic for the environment and the  
9 public peace in certain rural locations; that additional measures and  
10 restrictions should be taken to preserve the environment and the public peace  
11 of the citizens who live in rural locations; and that this act is immediately  
12 necessary to preserve the environment and the public peace of the citizens of  
13 this state. Therefore, an emergency is declared to exist, and this act being  
14 immediately necessary for the preservation of the public peace, health, and  
15 safety shall become effective on:

16 (1) The date of its approval by the Governor;

17 (2) If the bill is neither approved nor vetoed by the Governor,  
18 the expiration of the period of time during which the Governor may veto the  
19 bill; or

20 (3) If the bill is vetoed by the Governor and the veto is  
21 overridden, the date the last house overrides the veto.

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