

ARKANSAS CODE ANNOTATED
TITLE 27
TRANSPORTATION

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27-1-102 Legislative intent

- (a) It is the declared transportation policy of the General Assembly of the State of Arkansas to enhance the social and economic well-being of the citizenry of this state by requiring coordination of public and private transportation activities and the effective implementation of a safe and efficient total transportation activities and the effective implementation of a safe and efficient total transportation system.
- (b) The purpose of this chapter is to effectuate the transportation policy set out in subsection (a) of this section by preparing and coordinating a comprehensive, balanced, multimodel transportation plan for the state, including, but not limited to, airways, highways, railways, waterways, bicycling, mass transit, and other transportation facilities and services, whether publicly or privately owned, developed, operated, or maintained. To this end the Arkansas State Highway and Transportation Department is directed to establish and maintain coordination with all agencies of the state having transportation responsibility; local, city, and county governments; regional planning and transportation districts, commissions, and authorities; and private transportation agencies. The General Assembly further directs that each agency, authority, board, commission, department, and institution of the state and its political subdivisions regularly or intermittently involved in any effort concerning public transportation planning and operation in the state shall inform the Arkansas State Highway and Transportation Department of its transportation planning and operation in the state shall inform the Arkansas State Highway and Transportation Department of its transportation plans for the future. It is further directed that all transportation proposals by any public agency, authority, board, commission, department, or institution of the state and its political subdivisions involving any form of public transportation service to be operated on state highways shall be reviewed by the State Highway Commission as to its economy, effectiveness, efficiency, and equity in the overall transportation function of the state, its reciprocal relationships, and its coordination in the total transportation planning process for the state.

27-14-101. Title.

This chapter may be cited as the “Uniform Motor vehicle Administration, Certificate of Title, and Antitheft Act”

27-14-207. Vehicles.

- (a) “Vehicle” means every device in, upon, or by which any person or property is, or may be, transported or drawn upon a highway, excepting devices moved by human power or used exclusively upon stationary rails or tracks.
- (b) “Motor vehicle” means every vehicle which is self-propelled and every vehicle which is propelled by electric power obtained from overhead trolley wires, but not operated upon rails.

- (c) “Motorcycle” means every motor vehicle having a saddle for the use of the rider and designed to travel on not more than three (3) wheels in contact with the ground, excluding a tractor.
- (d) “School bus” means every motor vehicle owned by a public or governmental agency and operated for the transportation of children to or from school or privately owned and operated for compensation for the transportation of children to or from school.
- (e) “Bus” means every motor vehicle designed for carrying more than ten (10) passengers and used for the transportation of persons and every motor vehicle, other than a taxicab, designed and used for the transportation of persons for compensation.
- (f) “Mobile home” means every house trailer or other vehicle, with or without wheels, designed for use as living quarters, either permanent or temporary, and, at the time of manufacture, capable of being towed or otherwise transported or drawn upon a highway.
- (g) “Motor home” means a motor vehicle designed to provide temporary living quarters, built onto an integral part of, or permanently attached to, a self-propelled motor vehicle chassis. The vehicle must contain permanently installed independent life-support systems.

27-14-209. Trucks

- (a) “Truck tractor” means every motor vehicle designed and used primarily for drawing other vehicles and not so constructed as to carry a load other than a part of the weight of the vehicle and load so drawn.
- (b) “Truck” means every motor vehicle designed, used, or maintained primarily for the transportation of property.

27-14-210. Trailers.

- (a) “Trailer” means every vehicle with or without motive power, other than a pole trailer, designed for carrying persons or property and for being drawn by a motor vehicle and so constructed that no part of its weight rests upon the towing vehicle.
- (b) “Semitrailer” means every vehicle with or without motive power, other than a pole trailer, designed for carrying persons or property and for being drawn by a motor vehicle and so constructed that some part of its weight and that of its load rests upon or is carried by another vehicle.
- (c) “Pole trailer” means every vehicle without motive power designed to be drawn by another vehicle and attached to the towing vehicle by means of a reach or pole, or by being boomed or otherwise secured to the towing vehicle, and ordinarily used for transporting long or irregularly shaped loads such as poles, pipes, or structural members capable, generally, of sustaining themselves as beams between the supporting connections.

27-14-211. Special mobile equipment.

"Special mobile equipment" means every vehicle not designed or used primarily for the transportation of persons or property and incidentally operated or moved over the highways, including farm tractors, road construction or maintenance machinery, ditch-digging apparatus, well-boring apparatus, and concrete mixers. This enumeration shall be deemed partial and shall not operate to exclude other such vehicles which are within the general terms of this section.

27-14-212. Implements of husbandry

"Implements of husbandry" means every vehicle designed and adapted exclusively for agricultural, horticultural, or livestock raising operations, or for lifting or carrying an implement of husbandry, and, in either case, not subject to registration if used upon the highways.

27-14-601. Fees for registration and licensing of motor vehicles.

- (a) Fees Generally. The fee for the registration and licensing of all motor vehicles shall be as follows
- (1) Pleasure Vehicles. For all automobiles equipped with pneumatic tires, used for the transportation of persons, there shall be charged and collected the following fees based upon the unladen weight of such automobiles
 - (A) Class One - Automobiles of 3,000 lbs. or less\$17.00
 - (B) Class Two - Automobiles of 3,001 lbs. to and including 4,500 lbs.25.00
 - (C) Class Three - Automobiles of 4,501 lbs. and over 30.00
 - (2) Automobiles for Hire. For all automobiles for hire which are equipped with pneumatic tires and used for the transportation of persons, there shall be charged and collected the fee applicable thereto as set for pleasure vehicles in subdivision (a)(1) of this section;
 - (3) Trucks and Trailers. For all motor trucks, trailers, and semi-trailers including pipe and pole dollies, equipped with pneumatic tires, the license fee shall be charged on the basis of the gross loaded weight of the vehicle as follows:
 - (A) Class One - All trucks and vans which are rated by the manufacturer as having a nominal tonnage of one (1) ton which are used exclusively for personal transportation and are not used for commercial or business purposes, and all trucks and vans which are rated by the manufacturer as having a nominal tonnage of three-quarter (3/4) ton or less shall be assessed a license fee of twenty-one dollars (\$21.00) without regard to weight. The owner of a truck or van registered as a Class One truck prior to August 1, 1997, and which truck or van is required to be registered in a class other than Class One as a result of this subdivision, may operate

the truck or van with the Class One registration for the remainder of its existing registration period. The Class One registration shall not be renewed, and upon its expiration the owner shall register the vehicle in the appropriate class according to gross laden weight and shall be charged a prorated registration fee based on the number of months remaining in the registration period expiring on June 30, 1998;

- (B) Class Two - On all such vehicles with a gross loaded weight between six thousand one pounds (6,001 lbs.) and twenty thousand pounds (20,000 lbs.), the fee to be charged shall be at the rate of six dollars and fifty cents (\$6.50) per thousand pounds of gross loaded weight of the vehicles;
- (C) Class Three - On all such vehicles with a gross loaded weight between twenty thousand one pounds (20,001 lbs.) and forty thousand pounds (40,000 lbs.), the fee to be charged shall be at the rate of eight dollars and forty-five cents (\$8.45) per thousand pounds of the gross loaded weight of the vehicles;
- (D) Class Four - On all such vehicles with a gross weight between forty thousand one pounds (40,001 lbs.) and fifty-six thousand pounds (56,000 lbs.), the fee to be charged shall be at the rate of eleven dollars and five cents (\$11.05) per thousand pounds of gross loaded weight of the vehicles;
- (E) Class Five - On all such vehicles with a gross loaded weight between fifty-six thousand one pounds (56,001 lbs.) and sixty thousand pounds (60,000 lbs.), the fee to be charged shall be at the rate of twelve dollars and thirty-five cents (\$12.35) per thousand pounds of gross loaded weight of the vehicles;
- (F) Class Six - On all such vehicles with a gross loaded weight between sixty thousand one pounds (60,001 lbs.) and sixty-eight thousand pounds (68,000 lbs.), the fee to be charged shall be at the rate of thirteen dollars and sixty-five cents (\$13.65) per thousand pounds of gross loaded weight of the vehicles;
- (G) Class Seven -
 - (i) On all such vehicles with a gross loaded weight between sixty-eight thousand one pounds (68,001 lbs.) and seventy-three thousand, two hundred eighty pounds (73,280 lbs.), the fee to be charged shall be at the rate of fourteen dollars and thirty cents (\$14.30) per thousand pounds of gross loaded weight of the vehicles;
 - (ii) On all such vehicles with a gross loaded weight between seventy-three thousand, two hundred eighty one pounds (73,281 lbs.) and eighty thousand pounds (80,000 lbs.), the fee to be charged shall be one thousand, three hundred fifty dollars (\$1,350.00).
 - (iii) Any truck in Class Two, Class Three, Class Four, Class Five, Class Six, or Class Seven for which the annual

- registration and licensing fee is one hundred thirty dollars (\$130) or more may be registered and licensed for the first six (6) months of the licensing period, upon application therefor and the payment of one-half (1/2) of the annual license fee prescribed in this section for such truck, plus an additional fee of six dollars and fifty cents (\$6.50) to defray the administrative cost of issuing a half-year license.
- (iv) Any truck in Class Seven may be registered and licensed for the first three (3) months of the licensing period, upon application therefor and the payment of one-fourth (1/4) of the annual license fee prescribed herein for such truck, plus an additional fee of six dollars and fifty cents (\$6.50) to defray the administrative cost of issuing a quarter-year license.
 - (v) The Director of the Department of Finance and Administration shall cause distinctive license plates to be prepared to evidence the six-month and three-month registration of vehicles under this subsection and shall make such rules and regulations as he shall deem necessary to properly carry out and enforce the provisions of this subsection;
- (H) Class Eight -
- (i) In order to aid in the development of the natural resources and to promote agriculture in Arkansas and in order to eliminate apparent inequities in license charges for vehicles using only improved roads and those used primarily on the farm, in the wooded areas, and off the main highway system of this state, a special classification is created to provide a different and more equitable rate for those vehicles used exclusively for hauling animal feed by owners of livestock or poultry for consumption in this state by livestock or poultry owned by them and for hauling unfinished and unprocessed farm products, forest products and clay minerals and ores originating and produced in Arkansas from the point of production, harvesting, or severance to the point in the state at which they first undergo any processing, preparation for processing, conversion, or transformation from their raw, natural or severed state. Rock or stone or crushed rock or crushed stone, except rock or stone which is to undergo further processing into a finished or semifinished product other than crushed rock or crushed stone, shall not be construed as "clay minerals" or "ores" under the provisions of this classification.
 - (ii) The annual license fees for vehicles classified as natural resources vehicles shall be as follows

- (a) For a vehicle with two (2) axles, a fee of three dollars and ninety cents (\$3.90) per one thousand pounds (1,000 lbs.) of gross loaded weight of the vehicle, with a minimum fee of thirty-two dollars and fifty cents (\$32.50) and a maximum fee of sixty-five dollars (\$65.00) for each vehicle
 - (b) For a vehicle with three (3) axles, a fee of ninety-seven dollars and fifty cents (\$97.50)
 - (c) For a vehicle with four (4) axles, a fee of one hundred thirty dollars (\$130)
 - (d) For a vehicle with five (5) axles, a fee of one hundred sixty-two dollars and fifty cents (\$162.50)
 - (e) For a vehicle with five (5) axles used exclusively by the owner of livestock or poultry in hauling animal feed for consumption in this state by the owner's livestock or poultry, a fee of six hundred fifty dollars (\$650); and
 - (f) Notwithstanding any of the provisions of this subdivision (a)(3)(H) to the contrary, for a vehicle to be operated separately or in combination with other vehicles, which vehicle or combination has a total outside width in excess of one hundred two inches (102") but not exceeding one hundred eight inches (108") and is utilized or intended to be utilized or intended to be utilized to transport compacted seed cotton from the farm to the first point at which such seed cotton shall first undergo any processing, preparation for processing, or transformation from its compacted state, the annual license fee shall be six hundred fifty dollars (\$650). Provided, any full trailer or semitrailer used in combination with such registered vehicle shall also be registered in accordance with and pursuant to the applicable fees set out in subdivision (a)(3)(I) of this section. That portion of the annual license fee established by this subdivision (a)(3)(H)(ii)(f) which equals four hundred eighty-seven dollars and fifty cents (\$487.50) is declared to be a permit fee for the use of the public roads and streets of this state by such vehicles while operated separately or in combination with other vehicles due to the unusual design and size of such vehicles or combinations of vehicles.
- (iii) (a) The foregoing vehicles shall not exceed the maximum axle load permitted by law

- (b) Five-axle vehicles may haul maximum gross loaded weights of up to eighty thousand pounds (80,000 lbs.) without the purchase of any additional or different type license.
- (iv) The director shall cause to be issued special and distinctive license plates for vehicles in this classification, with separate license plates to be established for those vehicles hauling farm products, animal feed, or compacted seed cotton and separate license plates to be established for those vehicles hauling timber products, clay minerals, or ores
- (v) Before any license may be issued for a vehicle designated a natural resources vehicle, the applicant shall, by affidavit, state that he is familiar with the purposes for which such licenses may be used as authorized under this classification and that he will not use such vehicle for which application for license is made for any purpose not authorized under this classification. The applicant shall indicate on his affidavit whether the vehicle is to be used for the hauling of farm products, animal feed, compacted seed cotton, forest products, clay minerals, or ores.
- (vi) Any person entitled to obtain a natural resources license for a motor vehicle used for hauling farm products as authorized under this classification if such vehicle is required for only seasonal or occasional use, upon submitting an affidavit, may be issued a natural resources license for such vehicle for the first six (6) months of the annual licensing period, at a rate equal to one-half $\frac{1}{2}$ of the annual fee, but in no event less than sixty-five dollars (\$65.00) or for the last month of the current annual licensing period and the first six (6) months of the subsequent annual licensing period at a rate equal to seven-twelfths ($\frac{7}{12}$) of the annual fee but in no event less than seventy-five dollars (\$75.00).. The director shall issue special distinctive license plates or license plate validation decals for such vehicles, including the indication thereon of the expiration date, so as to identify them from annual natural resources plates.
- (vii) The owner of any motor vehicle who is entitled to obtain a natural resources license for such motor vehicle for use in hauling farm products as authorized in this subdivision (a)(3)(H) may use such motor vehicle for the hauling of baled cotton from the cotton gin to a cotton compress without the necessity of the payment of additional license fees or the obtaining of additional license plates for such motor vehicle.

- (viii) The director shall promulgate such rules and regulations as may be necessary to carry out the intent of this classification and prevent abuse thereof. However, before any such rules or regulations shall be effective, they shall be approved by majority action of the members of the State Highway Commission acting for and in behalf of the Arkansas Highway Police Division of the Arkansas State Highway and Transportation Department, which is the agency charged with the principal responsibility of enforcing the motor vehicle license laws of this state.
 - (ix) Vehicles licensed under this classification for the hauling of farm products only shall be permitted, without payment of additional fees, to transport return loads to the farm or domicile of the owner of such vehicles where such return load contents are the property of, and to be used or consumed by, the owner of the vehicle or his family.
 - (x) If a violation of the natural resources classification, as authorized in this subdivision (a)(3)(H) is discovered, a license must immediately be purchased for such vehicle in accordance with the rate of license that should lawfully be required for such vehicle for so moving on the roads and highways of this state. No credit shall be given on the purchase price of such license for any amount or amounts paid for license hitherto purchased for use on such vehicle. This requirement of license purchase shall not be in lieu of any criminal prosecution.
 - (xi) All affidavits required under the provisions of this subdivision (a)(3)(H) shall be acknowledged by the director, his authorized agent, or some other person authorized by the laws of this state to administer oaths;
- (I) Class Nine -
- (i) (a) For the purpose of evidencing registration of trailers, semitrailers, and full trailers, there shall be issued special license plates and annual registration fees charged and collected according to the following schedule:
 - (1) All trailers drawn by automobiles and Class One trucks, and all boat trailers and travel trailers drawn by any truck, which truck has a load capacity of one (1) ton or less, a fee of seven dollars (\$7.00);
 - (2) All semitrailers used in combination with Class Two-Class Eight trucks, with the exception of those for which a fee is set out in subdivision (a)(3)(I)(i)(a)(1) of this section, a fee of twenty dollars (\$20.00).

Provided, however, the owner of any semitrailer used in combination with Class Two-Class Eight trucks may, at his option, pay a fee of sixty-five dollars (\$65.00) for issuance of a permanent registration that shall remain valid, without annual renewal, until he sells or otherwise disposes of the semitrailer for which such registration is issued. Permanent registrations issued under this subdivision (a)(3)(I)(i)(a)(2) shall not be transferred to other owners or other vehicles, and shall not be replaced under § 27-14-602(b)(6);

- (3) Full trailers operated in the transportation of farm products and other natural resources described as Class Eight, a fee of eight dollars (\$8.00); and
 - (4) For all other full trailers there shall be charged an annual license fee computed on the gross loaded weight of the vehicle at the appropriate rate provided by Class Two-Class Seven of subdivision (a)(3) of this section
- (b) For the purposes of evidencing registration of trailers registered under subdivision (a)(3)(I)(i)(a)(1), there shall be collected a triennial fee based upon the annual fee set forth therein. Unless a trailer license issued under this provision is renewed on or before the fifteenth day following its expiration, it shall lapse and shall no longer be of any force or effect unless renewed in the manner prescribed by law
- (c) For the purpose of evidencing registration of a combination of truck-tractor and semitrailer classified by subdivision (a)(3)(I)(I)(a)(2), the license fee for the gross weight of the combination shall be computed at the appropriate rate provided by Class Two-Class Eight of subdivision (a)(3) of this section and shall be applied to the registration of the truck tractor.
- (ii) (a) "Gross loaded weight" as used in this section means the weight of the vehicle or vehicles plus the load to be hauled.
- (b) (1) If any truck, trailer, or semitrailer, as provided in this section, is at any time found to be operating on the highways of Arkansas

with a gross loaded weight in excess of the weight permitted by the license registration thereon, the owner or his agent must then and there, before proceeding, pay an additional license fee on the truck, trailer, or semitrailer, or combination, on the basis of one dollar and thirty cents (\$1.30) per one hundred pounds (100 lbs.), or fraction thereof, for the excess weight. For the purpose of ascertaining excess loaded weight on any truck, trailer, semitrailer, or combination thereof, a tolerance of one thousand pounds (1,000 lbs.) over and above the permitted weight, as indicated by the license registration certificate thereof, shall be allowed before the additional license fee required in this subdivision (a)(3)(I)(ii)(b)(1) shall be charged.

- (2) It shall be unlawful for any truck to operate on the highways of Arkansas without the license registration card being, at all times, in the possession of the operator thereof. This card shall, at all times, be subject to inspection.
- (3) Any truck, trailer, or semitrailer, or combination thereof, on which an additional license fee is paid because of excess weight, as provided in this subdivision (a)(3)(I)(ii)(b), shall be permitted for the remaining portion of the regular license year to operate at the newly established weight limit.
- (4) In no event shall any license be issued for a greater weight than that permitted by law governing axle loads;

(4) Motorcycles.

- (A) For the registration of motorcycles, there shall be charged and collected a fee of six dollars and fifty cents (\$6.50) per annum.
- (B) For the registration of motor-driven cycles, there shall be charged and collected a fee of three dollars and twenty-five cents (\$3.25) per annum.
- (C) For the registration of motorcycle sidecars, there shall be charged and collected an additional registration fee of one dollar and ninety-five cents (\$1.95) per annum;

- (5) Hearses and Ambulances. For the registration of hearses and other funeral cars or ambulances, there shall be charged and collected a fee of forty-five dollars and fifty cents (\$45.50) per annum;
- (6) Dealers.
 - (A) A "dealer", for the purposes of this subdivision (a)(6), is a person, firm, or corporation engaged in the business of buying and selling vehicles subject to registration in this state.
 - (B)
 - (i) As a condition precedent to obtaining dealer's license plates, the dealer shall furnish the director a certification by the sheriff of the county in which the applicant's business is located, or, if located within a city of the first class, a certification by an officer of the metropolitan police department that the applicant is a vehicle dealer and has a bona fide, established place of business used exclusively for the sale of vehicles, an office used exclusively for such business, a telephone listed in the name of the business, and a sign identifying the establishment as a vehicle dealership. Certification shall be required for all renewals of dealer license plates. This dealer certification shall not apply to dealers licensed by the Department of Arkansas State Police or the Arkansas Motor Vehicle Commission or the Arkansas Manufactured Home Commission and who are regulated by those authorities.
 - (ii) Upon furnishing such certification to the director, or a copy of the dealer's license from either the Department of Arkansas State Police or the Arkansas Motor Vehicle Commission, and the payment of a fee of one hundred dollars (\$100), the dealer shall be issued a master license plate and upon the payment of a fee of twenty-five dollars (\$25.00) shall be issued a dealer's extra license plate. There is no limit to the number of dealer's extra license plates which may be purchased by a dealer. However, the dealer must secure a master license plate for each separate place of business.
 - (iii)
 - (a) Upon furnishing certification to the director or a copy of the dealer's license from the Arkansas Manufactured Home Commission and upon the payment of fifty dollars (\$50.00), the manufactured home dealer shall be issued certification from the director for the purpose of assigning manufactured home titles. Each location shall be treated as a separate entity, and certification by the department shall be required for each location.
 - (C) When a dealer's master license plate or extra license plate is attached to any dealer-owned motor vehicle, the motor vehicle may be driven or operated upon the public highways for any purpose

consistent with the operation of the dealership, by the licensed dealer or any other person authorized by the licensed dealer.

- (D) Any dealer who pleads guilty or nolo contendere to, or who is found guilty of, the misuse of a dealer license plate or of allowing anyone else to misuse a dealer license plate shall be fined not more than two hundred fifty dollars (\$250) for the first offense, not more than five hundred dollars (\$500) for the second offense, and not more than one thousand dollars (\$1000) for the third and subsequent offenses.

(b) Period Covered and Expiration of Registration.

- (1) On all motor vehicles, except trucks other than Class One trucks as defined in § 27-14-1002 truck-tractors, trailers, and semitrailers, and combinations thereof, the duration and expiration of registration shall be in accord with the provisions of § 27-14-1011 and all fees provided in this section for such motor vehicles shall be due and payable annually as provided therein.

- (2) (A) (i) On all trucks except Class One trucks as defined in § 27-14-1002 truck-tractors, trailers, and semitrailers, and combinations thereof, except trailers drawn by automobiles and Class One trucks, the registration shall expire on June 30 of each year and all fees provided in this section for such vehicles shall be due and payable annually between July 1 and 4:30 p.m. on July 31 of each year.
- (ii) If application for such license is made after January 1 and before April 1, one-half (1/2) of the fee specified in this section shall be charged for such license for the remaining portion of that year; provided,
- (iii) If application for such license is made between April 1 and before July 1 of any year, the fee to be charged for the remaining portion of that year shall be one-fourth (1/4) of the annual amount specified in this section.
- (iv) No person shall have the authority to extend the time for payment of such fees past the period specified in this section.
- (v) These provisions shall not apply to trailers drawn by automobiles and Class One trucks.
- (B) (i) All licenses issued for trailers drawn by automobiles and Class One trucks as provided for in subdivision (a)(3)(I)(i)(a)(1) of this section shall be for a period of two (2) years.
- (ii) The director shall establish a system for the issuance of licenses to trailers drawn by automobiles and Class One trucks to the end that such trailer licenses will be renewable as uniformly as practicable throughout each of the twelve (12) months of the license year.

- (iii) The registration of trailers drawn by automobiles and Class One trucks shall be arranged, so far as practical, to assure that each individual's trailer registration will be renewable on the same date as his boat registration or motor vehicle registration.
- (c) Nature of Fees. Each of the fees authorized in this section is declared to be a tax for the privilege of using and operating a vehicle on the public roads and highways of the State of Arkansas.
- (d)
 - (1) All taxes, fees, penalties, interest, and other amounts collected under the provisions of this section, with the exception of that portion of the fee declared to be a permit fee and collected pursuant to subdivision (a)(3)(H)(ii)(f) above, shall be classified as special revenues and shall be deposited in the State Treasury. After deducting the amount to be credited to the Constitutional Officers Fund and the State Central Services Fund as provided under the Revenue Stabilization Law, § 19-5-101 et seq., the Treasurer of State shall transfer on the last business day of each month:
 - (A) Fifteen percent (15%) of the amount thereof to the County Aid Fund;
 - (B) Fifteen percent (15%) of the amount thereof to the Municipal Aid Fund; and
 - (C) Seventy percent (70%) of the amount thereof to the State Highway and Transportation Department Fund.
 - (2) The funds shall be further disbursed in the same manner and used for the same purposes as set out in the Arkansas Highway Revenue Distribution Law, § 27-70-201 et seq.
 - (3) That portion of the annual license fee collected pursuant to subdivision (a)(3)(H)(ii)(f) of this section declared to be a permit fee shall be classified as special revenues and shall be deposited in the State Treasury. The Treasurer of State shall transfer on the last business day of each month all of such portions of such annual license fees to the State Highway and Transportation Department Fund to be utilized for the construction, reconstruction, and maintenance of highways and bridges in the state highway system.
- (e) Penalty. Any person owning a vehicle on which a fee is required to be paid under the terms of this section who shall operate it or permit it to be operated on a public road in this state without having paid the fee required by this section shall be guilty of a misdemeanor and, upon conviction, shall be fined in a sum not less than double the fee provided for and not more than three thousand dollars (\$3,000).

27-14-703. Vehicles subject to registration--Exceptions.

Every motor vehicle, trailer, semitrailer, and pole trailer when driven or moved upon a highway and every mobile home shall be subject to the provisions of this chapter except:

- (1) Any vehicle driven or moved upon a highway in conformance with the provisions of this chapter relating to manufacturers, transporters, dealers, lienholders, or

- nonresidents or under a temporary registration permit issued by the office as authorized in § 27-14-708
- (2) Any vehicle which is driven or moved upon a highway only for the purpose of crossing such highway from one (1) property to another;
 - (3) Any implement of husbandry whether of a type otherwise subject to registration under this chapter or not which is only incidentally operated or moved upon a highway;
 - (4) Any special mobile equipment as defined in § 27-14-211
 - (5) Any vehicle which is propelled exclusively by electric power obtained from overhead trolley wires, though not operated upon rails;
 - (6) No certificates of title need be obtained for any vehicle of a type subject to registration owned by the federal government.

27-14-1302. Load limits not affected.

Nothing in this subchapter shall repeal the right of the State Highway Commission to vary the load limit on any particular road at any particular time as conditions may warrant.

27-16-207. Vehicles.

- (a) "Vehicle" means every device in, upon, or by which any person or property is, or may be, transported or drawn upon a public highway, excepting devices moved by human power or used exclusively upon stationary rails or tracks.
- (b) "Motor vehicle" means every vehicle which is self-propelled and every vehicle which is propelled by electric power obtained from overhead trolley wires but not operated upon rails.
- (c) "Farm tractor" means every motor vehicle designed and used primarily as a farm implement for drawing plows, mowing machines, and other implements of husbandry.
- (d) "School bus" means every motor vehicle owned by a public or governmental agency and operated for the transportation of children to or from school or privately owned and operated for compensation for the transportation of children to or from school.

27-16-602. Driver's license required.

- (a) No person, except those expressly exempted, shall drive any motor vehicle upon a highway in this state unless the person has a valid driver's license under the provisions of this act.
- (b)
 - (1) No person shall receive a driver's license unless and until he surrenders to the office all valid driver's licenses in his possession issued to him by any other jurisdiction.
 - (2) All surrendered licenses shall be returned by the office to the issuing department together with information that the licensee is now licensed in the new jurisdiction.

- (3) No person shall be permitted to have more than one (1) valid driver's license at any time.
- (c) (1) No person shall drive a commercial motor vehicle as a commercial driver unless he holds a valid commercial driver's license.
- (2) No person shall receive a commercial driver's license unless and until he surrenders to the office any noncommercial driver's license issued to him or an affidavit that he does not possess a noncommercial driver's license.
- (3) Any person holding a valid commercial driver's license under this chapter need not procure a noncommercial driver's license.
- (d) Any person licensed under this act may exercise the privilege granted upon all streets and highways in this state and shall not be required to obtain any other license to exercise the privilege by any county, municipal, or local board or body having authority to adopt local police regulations.

27-16-603. Persons exempted from licensing.

The following persons are exempt from licensing under this act:

- (1) Any person while operating a motor vehicle in the service of the Army, Air Force, Navy, or Marine Corps of the United States;
- (2) Any person while operating or driving any road machine, farm tractor, or implement of husbandry temporarily operated or moved on a highway;
- (3) A nonresident who is at least sixteen (16) years of age and who has in his immediate possession a valid noncommercial driver's license issued to him in his home state or country may operate a motor vehicle in this state only as a noncommercial driver;
- (4) A nonresident who is at least eighteen (18) years of age and who has in his immediate possession a valid commercial driver's license issued to him by his home state or country may operate a motor vehicle in this state either as a commercial or a noncommercial driver; and
- (5) Any nonresident who is at least eighteen (18) years of age whose home state or country does not require the licensing of noncommercial drivers may operate a motor vehicle as a noncommercial driver only, for a period of not more than ninety (90) days in any calendar year, if the motor vehicle so operated is duly registered in the home state or country of the nonresident.

27-23-101. Short title.

This chapter may be cited as the "Arkansas Uniform Commercial Driver License Act".

27-23-102. Statement of intent and purpose.

- (a) The purpose of this chapter is to implement the federal Commercial Motor Vehicle Safety Act of 1986 (CMVSA) (Title XII of Pub. Law 99-570) and reduce or prevent commercial motor vehicle accidents, fatalities, and injuries by:
 - (1) Permitting commercial drivers to hold only one (1) license;

- (2) Disqualifying commercial drivers who have committed certain serious traffic violations, or other specified offenses;
 - (3) Strengthening licensing and testing standards for commercial drivers.
- (b) This chapter is a remedial law and shall be liberally construed to promote the public health, safety, and welfare. To the extent that this chapter conflicts with general driver licensing provisions, this chapter prevails. Where this chapter is silent, the general driver licensing provisions apply.

27-23-103. Definitions.

As used in this chapter, unless the context otherwise requires:

- (1) "Alcohol" or "alcoholic beverage" means:
 - (A) Ethyl alcohol, or ethanol; or
 - (B) Beer which is defined as beer, ale, stout, and other similar fermented beverages, including sake or similar products, of any name or description containing one-half of one percent (0.5%) or more of alcohol by volume, brewed or produced from malt, wholly or in part, or from any substitute therefor;
 - (C) Wine of not less than one-half of one percent (0.5%) of alcohol by volume; or
 - (D) Distilled spirits, alcoholic spirits, and spirits, which are defined as those substances known as ethyl alcohol, ethanol, or spirits of wine in any form, including all dilutions and mixtures thereof from whatever source or by whatever process produced;
- (2) "Blood alcohol concentration" means:
 - (A) The number of grams of alcohol per one hundred milliliters (100 ml) of blood;
 - (B) The number of grams of alcohol per two hundred ten liters (210 l) of breath; or
 - (C) Blood and breath quantitative measures in accordance with the current Arkansas Regulations for Blood Alcohol Testing promulgated by the Department of Health;
- (3) "Commerce" means:
 - (A) Trade, traffic, and transportation within the jurisdiction of the United States between a place in a state and a place outside of the state, including a place outside the United States; and
 - (B) Trade, traffic, and transportation in the United States which affects any trade, traffic, and transportation within the jurisdiction of the United States between a place in a state and a place outside of the state, including a place outside the United States;
- (4) "Commercial driver instruction permit" means a permit issued pursuant to § 27-23-108(d)
- (5) "Commercial driver license" means a license issued in accordance with the requirements of this chapter to an individual which authorizes the individual to drive a class of commercial motor vehicle;

- (6) The "Commercial Driver License Information System" is the information system established pursuant to the Commercial Motor Vehicle Safety Act of 1986 to serve as a clearinghouse for locating information related to the licensing and identification of commercial motor vehicle drivers;
- (7) (A) "Commercial motor vehicle" means a motor vehicle or combination of motor vehicles used in commerce to transport passengers or property if the motor vehicle:
- (i) Has a gross combination weight rating of twenty-six thousand one pounds (26,001 lbs.) or more inclusive of a towed unit with a gross vehicle weight rating of more than ten thousand pounds (10,000 lbs.);
 - (ii) Has a gross vehicle weight rating of twenty-six thousand one pounds (26,001 lbs.) or more;
 - (iii) Is designed to transport sixteen (16) or more passengers, including the driver; or
 - (iv) Is of any size and is used in the transportation of materials found to be hazardous, as a result of which the motor vehicle is required to be placarded under the Hazardous Materials Regulations, 49 C.F.R. part 172, subpart F.
- (B) When out-of-service orders are involved, the term "commercial motor vehicle" shall also include any self-propelled or towed vehicle used on public highways in interstate commerce to transport passengers or property when:
- (i) The vehicle has a gross vehicle weight rating or gross combination weight rating of ten thousand one (10,001) or more pounds; or
 - (ii) The vehicle is used in the transportation of hazardous materials in a quantity requiring placarding under regulations issued by the Secretary of Transportation under the Hazardous Materials Transportation Act, 49 U.S.C. App. §§ 1801-1813;
- (8) "Controlled substance" means a drug, substance, or immediate precursor in Schedules I-VI of the Uniform Controlled Substances Act, § 5-64-101 et seq.;
- (9) "Conviction" means an unvacated adjudication of guilt, a determination that a person has violated or failed to comply with the law in a court of original jurisdiction or by an authorized administrative tribunal, an unvacated forfeiture of bail or collateral deposited to secure the person's appearance in court, a plea of guilty or nolo contendere accepted by the court, the payment of a fine or court order, or violation of a condition of release without bail, regardless of whether or not the penalty was rebated, suspended, or prorated;
- (10) "Disqualification" means a prohibition against driving a commercial motor vehicle;
- (11) "Drive" means to drive, operate, or be in physical control of a commercial motor vehicle on any public street or highway in the state or in any place open to the general public for purposes of vehicular traffic;
- (12) "Driver" means any person who drives, operates, or is in physical control of a commercial motor vehicle on any public street or highway in the state or in any place open to the general public for purposes of vehicular traffic;

- (13) "Driver license" means a license issued by a state to an individual which authorizes the individual to drive a motor vehicle;
- (14) "Employer" means any person, including the United States, a state, or a political subdivision of a state, who owns or leases a commercial motor vehicle or assigns a person to drive a commercial motor vehicle;
- (15) "Felony" means any offense under state or federal law that is punishable by death or imprisonment for a term exceeding one (1) year;
- (16) "Foreign jurisdiction" means any jurisdiction other than a state of the United States;
- (17) "Gross combination weight rating" means the value specified by the manufacturer as the loaded weight of a combination or articulated vehicle. In the absence of a value specified by the manufacturer, the gross combination weight rating will be determined by adding the gross vehicle weight rating of the power unit and the total weight of the towed unit and any load thereon;
- (18) "Gross vehicle weight rating" means the value specified by the manufacturer as the loaded weight of a single vehicle;
- (19) "Hazardous materials" has the same meaning as that found in Section 103 of the Hazardous Materials Transportation Act, 49 U.S.C. App. § 1802;
- (20) "Motor vehicle" means a vehicle, machine, tractor, trailer, or semitrailer propelled or drawn by mechanical power used on highways, except that the term does not include a vehicle, machine, tractor, trailer, or semitrailer operated exclusively on a rail;
- (21) "Nonresident CDL" means a commercial driver license issued by a state to an individual who resides in a foreign jurisdiction;
- (22) "Out-of-service order" means a declaration by an authorized enforcement officer of a federal, state, Canadian, Mexican, or local jurisdiction that a driver is temporarily prohibited from operating a commercial motor vehicle pursuant to § 27-23-113 or compatible laws;
- (23) "Serious traffic violation" means a conviction when operating a commercial motor vehicle of:
 - (A) Excessive speeding, involving any single offense for any speed of fifteen (15) miles per hour or more above the posted speed limit;
 - (B) Reckless driving as defined by state or local law or regulation, including, but not limited to, offenses of driving a commercial motor vehicle in willful or wanton disregard for the safety of persons or property;
 - (C) Improper or erratic traffic lane changes;
 - (D) Following the vehicle ahead too closely; or
 - (E)
 - (i) A violation, arising in connection with a fatal accident, of state or local law relating to motor vehicle traffic control, other than a parking violation.
 - (ii) Serious traffic violations shall not include weight or defect violations;
- (24) "State" means a state of the United States and also means the District of Columbia; and
- (25) "United States" means the fifty (50) states and the District of Columbia.

27-32-103. Penalties.

- (a) Any person who shall make, issue, or knowingly use any imitation or counterfeit of an official certificate of inspection; or who shall display, or cause or permit to be displayed, upon any motor vehicle any certificate of inspection knowing it to be fictitious or issued without the vehicle having first been properly inspected as required by this chapter; or who unlawfully mutilates a valid certificate of inspection or rejection; or who unlawfully removes such a certificate from a motor vehicle shall be guilty of a misdemeanor and fined not less than twenty dollars (\$20.00) nor more than two hundred dollars (\$200.00).
- (b) Any person who shall display, or cause or permit to be displayed, any sign, mark, or advertisement as an official inspection station or official individual inspector, unless a license has been issued by the director and is then in effect; or who shall transfer, or attempt to transfer, a license; or who knowingly makes a false statement on an application for a license for an official inspection station or official individual inspector, or renewal thereof, shall be guilty of a misdemeanor and fined not less than fifty dollars (\$50.00) nor more than five hundred dollars (\$500.00).
- (c) Any person violating any provision of this chapter where no specific penalty is provided in subsections (a) and (b) of this section shall be guilty of a misdemeanor and, upon conviction, shall be subject to a fine of not less than twenty-five (\$25.00) nor more than two hundred fifty dollars (\$250.00).

27-32-104. Motor vehicles to be in safe mechanical condition.

No person shall drive or move on any highway any motor vehicle, trailer, semitrailer, or pole trailer, or any combination thereof, unless the equipment upon the vehicle is in good working order and adjustment as required in this chapter and unless the vehicle is in such safe mechanical condition as not to endanger the driver or other occupant or any person upon the highway.

27-33-101. Adoption of compact.

The Vehicle Equipment Safety Compact is enacted into law and entered into with all other jurisdictions legally joining therein in the form substantially as follows:

Article I. Findings and purposes

- (a) The party states find that:
 - (1) Accidents and deaths on their streets and highways present a very serious human and economic problem with a major deleterious effect on the public welfare.
 - (2) There is a vital need for the development of greater interjurisdictional cooperation to achieve the necessary uniformity in the laws, rules, regulations, and codes relating to vehicle equipment, and to accomplish this by such means as will minimize the time between the development of demonstrably and scientifically sound safety features and their incorporation into vehicles.

- (b) The purposes of this compact are to:
 - (1) Promote uniformity in regulation of and standards for equipment.
 - (2) Secure uniformity of law and administrative practice in vehicular regulation and related safety standards to permit incorporation of desirable equipment changes in vehicles in the interest of greater traffic safety.
 - (3) To provide means for the encouragement and utilization of research which will facilitate the achievement of the foregoing purposes, with due regard for the findings set forth in subdivision of this article.
- (c) It is the intent of this compact to emphasize performance requirements and not to determine the specific detail of engineering in the manufacture of vehicles or equipment except to the extent necessary for the meeting of such performance requirements.

Article II, Definitions:

As used in the compact:

- (a) “Vehicle means every device in, upon, or by which any person or property is or may be transported or drawn upon a highway, excepting devices moved by human power or used exclusively upon stationary rails or tracks.
- (b) “State” means a state, territory, or possession of the United States, the District of Columbia, or the Commonwealth of Puerto Rico.
- (c) “Equipment” means any part of a vehicle or any accessory for use thereon which affects the safety of operation of such vehicle or the safety of the occupants.

Article III, The Commission

- (a) There is hereby created an agency of the party states to be known as the “Vehicle Equipment Safety Commission” hereinafter called the commission. The commission shall be composed of one (1) commissioner from each party state who shall be appointed, serve, and be subject to removal in accordance with the laws of the state which he represents. If authorized by the laws of his party state, a commissioner may provide for the discharge of his duties and the performance of his functions on the commission, either for the duration of his membership or for any lesser period of time, by an alternate. No such alternate shall be entitled to serve unless notification of his identity and appointment shall have been given to the commissioner in such form as the commission may require. Each commissioner, and each alternate, when serving in the place and stead of a commissioner, shall be entitled to be reimbursed by the commission for expenses actually incurred in attending commission meetings or while engaged in the business of the commission.
- (b) The commissioners shall be entitled to one (1) vote each on the commission. No action of the commission shall be binding unless taken at a meeting at which a majority of the total number of votes on the commission are cast in favor thereof. Action of the commission shall be only at a meeting at which a majority of the commissioners, or their alternates, are present.
- (c) The commission shall have a seal.
- (d) The commission shall elect annually from among its members, a chairman, a vice chairman, and a treasurer. The commission may appoint an executive director and fix his duties and compensation. Such executive director shall serve at the pleasure of the commission, and together with the treasurer shall be bonded in

such amount as the commission shall determine. The executive director also shall serve as secretary. If there be no executive director, the commission shall elect a secretary in addition to the other officers provided by this subdivision.

- (e) Irrespective of the civil service, personnel, or other merit system laws of any of the party states, the executive director with the approval of the commission or the commission ifk there be no executive director, shall appoint, remove, or discharge such personnel as may be necessary for the performance of the commission's functions, and shall fix the duties and compensation of such personnel.
- (f) The commission may establish and maintain independently or in conjunction with any one or more of the party states, a suitable retirement system for its full-time employees. Employees of the commission shall be eligible for social security coverage in respect of old age and survivor's insurance provided that the commission takes such steps as may be necessary pursuant to the laws of the United States, to participate in such program of insurance as a governmental agency or unit. The commission may establish and maintain or participate in such additional programs of employee benefits as may be appropriate.
- (g) The commission may borrow, accept, or contract for the services of personnel from any party state, the United States, or any subdivision or agency of the aforementioned governments, or from any agency of two or more of the party states or their subdivisions.
- (h) The commissioner may accept for any of its purposes and functions under this compact any and all donations, and grants of money, equipment, supplies, materials, and services, conditional or otherwise, from any state, the United States, or any other governmental agency and may receive, utilize, and dispose of the same.
- (i) The commission may establish and maintain such facilities as may be necessary for the transacting of its business. The commission may acquire, hold, and convey real and personal property and any interest therein.
- (j) The commission shall adopt bylaws for the conduct of its business and shall have the power to amend and rescind these bylaws. The commission shall publish its bylaws in convenient form and shall file a copy thereof and a copy of any amendment thereto, with the appropriate agency or officer in each of the party states. The bylaws shall provide for appropriate notice to the commissioners of all commission meetings and hearings and the business to be transacted at such meetings or hearings. Such notice shall also be given to such agencies or officers of each party state as the laws of such party state may provide.
- (k) The commission annually shall make to the governor and legislature of each party state a report covering the activities of the commission for the preceding year, and embodying such recommendations as may have been issued by the commission. The commission may make such additional reports as it may deem desirable.

Article IV, Research and Testing

The commission shall have power to:

- (a) collect, correlate, analyze, and evaluate information resulting or derivable from research and testing activities in equipment and related fields.

- (b) Recommend and encourage the undertaking of research and testing in any aspect of equipment or related matters when, in its judgment, appropriate or sufficient research or testing has not been undertaken.
- (c) Contract for such equipment research and testing as one (1) or more governmental agencies may agree to have contracted for by the commission, provided that such governmental agency or agencies shall make available the funds necessary for such research and testing.
- (d) Recommend to the party states changes in law or policy with emphasis on uniformity of laws and administrative rules, regulations, or codes which would promote effective governmental action or coordination in the prevention of equipment-related highway accidents or the mitigation of equipment-related highway safety problems.

Article V, Vehicular Equipment

- (a) In the interest of vehicular and public safety, the commission may study the need for or desirability of the establishment of or changes in performance requirements or restrictions for any item of equipment. As a result of such study, the commission may publish a report relating to any item or items of equipment, and the issuance of such a report shall be a condition precedent to any item of equipment. As a result of such study, the commission may publish a report relating to any item or items of equipment, and the issuance of such a report shall be a condition precedent to any proceedings or other action provided or authorized by this article. No less than sixty days after the publication of a report containing the results of such study, the commission, upon due notice, shall hold a hearing or hearings at such place or places as it may determine.
- (b) Following the hearing or hearings provided for in subdivision (a) of this article, and with due regard for standards recommended by appropriate professional and technical associations and agencies, the commission may issue rules, regulations, or codes embodying performance requirements or restrictions for any item or items of equipment covered in the report, which in the opinion of the commission will be fair and equitable and effectuate the purposes of this compact.
- (c) Each party state obligates itself to give due consideration to any and all rules, regulations, and codes issued by the commission and hereby declares its policy and intent to be the promotion of uniformity in the laws of the several party states relating to equipment.
- (d) The commission shall send prompt notice of its action in issuing any rule, regulation, or code pursuant to this article to the appropriate motor vehicle agency of each party state and such notice shall contain the complete text of the rule, regulation, or code.
- (e) If the constitution of a party state requires, or if its statutes provide, the approval of the legislature by appropriate resolution or act may be made a condition precedent to the taking effect in such party state of any rule, regulation, or code. In such event, the commissioner of such party state shall submit any commission rule, regulation, or code to the legislature as promptly as may be in lieu of administrative acceptance or rejection thereof by the party state.
- (f) Except as otherwise specifically provided in or pursuant to subdivisions (e) and (g) of this article, the appropriate motor vehicle agency of a party state shall, in

accordance with its constitution or procedural laws adopt the rule, regulation, or code within six (6) months of the sending of the notice, and, upon such adoption, the rule, regulation, or code shall have the force and effect of law therein.

- (g) The appropriate motor vehicle agency of a party state may decline to adopt a rule, regulation, or code issued by the commission pursuant to this article if such agency specifically finds, after public hearing on due notice, that a variation from the commission's rule, regulation, or code is necessary to the public safety, and incorporates in such finding the reasons upon which it is based. Any such finding shall be subject to review by such procedure for review of administrative determinations as may be applicable pursuant to the laws of the party state. Upon request, the commission shall be furnished with a copy of the transcript of any hearings held pursuant to this subdivision.

Article VI, Finance

- (a) The commission shall submit to the executive head or designated officer or officers of each party state a budget of its estimated expenditures for such period as may be required by the laws of that party state for presentation to the legislature thereof.
- (b) Each of the commission's budgets of estimated expenditures shall contain specific recommendations of the amount or amounts to be appropriated by each of the party states. The total amount of appropriations under any such budget shall be apportioned among the party states as follows: one-third (1/3) in equal shares and the remainder in proportion to the number of motor vehicles registered in each party state. In determining the number of such registrations, the commission may employ such source or sources of information as, in its judgment, present the most equitable and accurate comparisons among the party states. Each of the commission's budgets of estimated expenditures and requests for appropriations shall indicate the source or sources used in obtaining information concerning vehicular registrations.
- (c) The commission shall not pledge the credit of any party state. The commission may meet any of its obligations in whole or in part with funds available to it under Article III (h) of this compact, provided that the commission takes specific action setting aside such funds prior to incurring any obligation to be met in whole or in part in such manner. Except where the commission makes use of funds available to it under Article III (h) hereof, the commission shall not incur any obligation prior to the allotment of funds by the party states adequate to meet the same.
- (d) The commission shall keep accurate accounts of all receipts and disbursements. The receipts and disbursements of the commission shall be subject to the audit and accounting procedures established under its rules. However, all receipts and disbursements of funds handled by the commission shall be audited yearly by a qualified public accountant, and the report of the audit shall be included in and become part of the annual reports of the commission.
- (e) The accounts of the commission shall be open at any reasonable time for inspection by duly constituted officers of the party states and by any persons authorized by the commission.

- (f) Nothing contained herein shall be construed to prevent commission compliance with laws relating to audit or inspection or accounts by or on behalf of any government contributing to the support of the commission.

Article VII, Conflict of Interest

- (a) The commission shall adopt rules and regulations with respect to conflict of interest for the commissioners of the party states, and their alternates, if any, and for the staff of the commission and contractors with the commission to the end that no member or employee or contractor shall have a pecuniary or other incompatible interest in the manufacture, sale, or distribution of motor vehicles or vehicular equipment or in any facility or enterprise employed by the commission or on its behalf for testing, conduct of investigation, or research. In addition to any penalty for violation of such rules and regulations as may be applicable under the laws of the violator's jurisdiction of residence, employment, or business, any violation of a commission rule or regulation adopted pursuant to this article shall require the immediate discharge of any violating employee and the immediate vacating of membership or relinquishing of status as a member of the commission by any commissioner or alternate. In the case of a contractor, any violation of any such rule or regulation shall make any contract of the violator with the commission subject to cancellation by the commission.
- (b) Nothing contained in this article shall be deemed to prevent a contractor for the commission for using any facilities subject to his control in the performance of the contract even though such facilities are not devoted solely to work of or done on behalf of the commission; nor to prevent such a contractor from receiving remuneration or profit from the use of such facilities.

Article VIII, Advisory and Technical Committees

The commission may establish such advisory and technical committees as it may deem necessary, membership on which may include private citizens and public officials, and may cooperate with and use the services of any such committees and the organizations which the members represent in furthering any of its activities.

Article IX, Entry Into Force and Withdrawal

- (a) This compact shall enter into force when enacted into law by any six (6) or more states. Thereafter, this compact shall become effective as to any other state upon its enactment thereof.
- (b) Any party state may withdraw from this compact by enacting a statute repealing the same, but no such withdrawal shall take effect until one (1) year after the executive head of the withdrawing state has given notice in writing of the withdrawal to the executive heads of all other party states. No withdrawal shall affect any liability already incurred by or chargeable to a party state prior to the time of such withdrawal.

Article X, Construction and Severability

This compact shall be liberally construed so as to effectuate the purposes thereof. The provisions of this compact shall be severable and if any phrase, clause, sentence, or provision of this compact is declared to be contrary to the constitution of any state or of the United States or the applicability thereof to any government, agency, person, or circumstances is held invalid, the validity of the remainder of this compact and the applicability thereof to any government, agency, person, or circumstance shall not be

affected thereby. If this compact shall be held contrary to the constitution of any state participating herein, the compact shall remain in full force and effect as to the remaining party states and in full force and effect as to the state affected as to all severable matters.

27-33-109. Approval required for rules and regulations.

Pursuant to Article V (e) of the Vehicle Equipment Safety Compact, it is the intention of this state, and it is provided that no rule, regulation, or code issued by the Vehicle Equipment safety Commission in accordance with Article V of the compact shall take effect until approved by an act of the General Assembly.

27-34-102. Legislative intent.

It is the legislative intent that all state, university, county, and local law enforcement agencies, as well as all physicians and hospitals, in recognition of the problems, including death and serious injury, associated with unrestrained children in motor vehicles, conduct a continuing safety and public awareness campaign so as to encourage and promote the use of child passenger safety seats.

27-34-104. Requirements.

- (a) Every driver who transports a child under the age of five (5) years in a passenger automobile, van, or pickup truck, other than one operated for hire, which is registered in this or any other state, shall provide, while the motor vehicle is in motion and operated on a public road, street, or highway of this state, for the protection of the child by properly placing, maintaining, and securing the child in a child passenger restraint system meeting applicable federal motor vehicle safety standards in effect on January 1, 1995.
- (b) A child who is less than four (4) years of age and who weighs less than forty pounds (40 lbs.) shall be restrained in a child passenger safety seat.
- (c) If the child is at least four (4) years of age or at least forty pounds (40 lbs.) in weight, a safety belt shall be sufficient to meet the requirements of this section.

27-34-105. Exceptions.

The provisions of this chapter shall not apply when any one (1) of the following conditions exist:

- (1) The motor vehicle is being used as an ambulance or other emergency vehicle;
- (2) When an emergency exists that threatens:
 - (A) The life of any person operating a motor vehicle to whom this section otherwise would apply; or
 - (B) The life of any child who otherwise would be required to be restrained under this chapter; or
- (3) If any child who would otherwise be required to be restrained under this chapter is physically unable because of medical reasons to use a child passenger safety seat system or seat safety belt.

27-35-102. Certain vehicles exempted.

The provisions of this subchapter governing size, weight, and load shall not apply to fire apparatus, road machinery, or to implements of husbandry, including farm tractors, temporarily moved upon a highway, or to a vehicle operated under the terms of a special permit issued as provided in this subchapter.

27-35-103. Scope and effect of regulations.

- (a) The maximum size and weight of vehicles specified in this chapter shall be lawful throughout this state, and local authorities shall have no power or authority to alter these limitations, except as provided in this chapter.
- (b) Local authorities, with respect to highways under their jurisdiction, by ordinance or resolution, may prohibit the operation of vehicles upon any highway or impose restrictions as to the weight of vehicles to be operated upon any highway, for a total period of not to exceed ninety (90) days in any one (1) calendar year, whenever the highway, by reason of deterioration, rain, snow, or other climatic conditions will be seriously damaged or destroyed unless the use of vehicles thereon is prohibited or the permissible weights thereof reduced.
- (c)
 - (1) The local authority enacting any such ordinance or resolution shall erect, or cause to be erected and maintained, signs designating the provisions of the ordinance or resolution at each end of that portion of any highway affected thereby.
 - (2) The ordinance or resolution shall not be effective unless and until signs are erected and maintained.
- (d)
 - (1) Local authorities, with respect to highways under their jurisdiction, by ordinance or resolution, may also prohibit the operation of trucks or other commercial vehicles or may impose limitations as to the weight thereof on designated highways.
 - (2) The prohibitions and limitations shall be designated by appropriate signs placed on such highways.
- (e)
 - (1) The State Highway Commission shall likewise have authority as granted in this section to local authorities to determine by resolution and to impose restrictions as to the weight of vehicles operated upon any highways under the jurisdiction of the commission.
 - (2) The restrictions shall be effective when signs giving notice thereof are erected upon the highway or portion of any highway affected by such resolution.

27-35-107. Registration of gross weight.

- (a)
 - (1) Upon registering any vehicle under the laws of this state, which vehicle is designed and used primarily for the transportation of property or for the transportation of ten (10) or more persons, the commissioner may require such information and may make such investigation or test as necessary to

enable him to determine whether the vehicle may safely be operated upon the highways in compliance with all the provisions of this chapter.

- (2) He shall register every such vehicle for a permissible gross weight not exceeding the limitation set forth in this chapter.
 - (3) Every such vehicle shall be equipped with brakes as required in 27-37-501 and 27-37-502
- (b)
- (1) The commissioner shall insert in the registration card issued for every such vehicle the gross weight for which it is registered. If it is a motor vehicle to be used for propelling other vehicles, he shall separately insert the total permissible gross weight of that motor vehicle and other vehicles to be propelled by it.
 - (2) He may also issue a special plate with the gross weight or weights stated thereon which shall be attached to the vehicle and displayed at all times.
- (c) It shall be unlawful for any person to operate any vehicle or combination of vehicles of a gross weight in excess of that for which registered by the commissioner or in excess of the limitations set forth in this chapter.
- (d) The commissioner shall implement rules and regulations issued by the United States Secretary of Transportation pertaining to federal use tax payments.

27-35-111. Trailers and towed vehicles.

- (a)
- (1) When one (1) vehicle is towing another, the drawbar or other connection shall be of sufficient strength to pull all weight towed. The drawbar or other connection shall not exceed fifteen feet (15') from one (1) vehicle to the other, except the connection between any two (2) vehicles transporting poles, pipe, machinery, or other objects of structural nature which cannot readily be diminished.
 - (2) When one (1) vehicle is towing another, there shall be an additional connection between the vehicles sufficient to hold the vehicle being towed in the event the drawbar or other regular connection should break or become disconnected.
 - (3) When one (1) vehicle is towing another and the connection consists of a chain, rope, or cable, there shall be displayed upon the connection a white flag or cloth not less than twelve inches (12") square.
 - (4) The provisions of this subsection shall not apply to the drawbar or other connection between a motor vehicle and a pole or pipe dolly.
- (b)
- (1) No person shall operate a vehicle towing another when the towed vehicle swerves from side to side dangerously or unreasonably or fails to follow substantially in the path of the towing vehicle.
 - (2) No person shall occupy any house trailer while it is being moved upon the highway.

27-35-110. Spilling loads on highways prohibited - Covers required for loads of sand, gravel, and rock - Exceptions.

- (a) No vehicle shall be driven or moved on any highway unless the vehicle is so constructed or loaded as to prevent any of its load from dropping, sifting, leaking, or otherwise escaping therefrom.
- (b) Sand may be dropped for the purpose of securing traction, or water or other substance may be sprinkled on a roadway in cleaning or maintaining the roadway.
- (c) No sand, gravel, or rock shall be transported on the paved public streets and highways of this state in a motor vehicle or trailer with an open bed unless the open bed is securely covered with a material which will prevent the load from dropping, sifting, leaking, or otherwise escaping therefrom. The cover shall be securely fastened to prevent the covering from becoming loose, detached, or in any manner a hazard to other users of the highway.
- (d) The covering of loads of sand, gravel, or rock is not required if six (6) inches of freeboard is maintained at the perimeter of the load within the open bed of the vehicle or trailer carrying the load. Measurements are to be taken at the perimeter of the vehicle's or trailer's bed and measured from the top edge of the bed down to the sand, gravel, or rock being transported.

27-35-203. Single and tandem axle load limits.

- (a) **MAXIMUM SINGLE AXLE LOAD.** The total gross load imposed on the highway by the wheels of any one (1) single axle of a vehicle shall not exceed twenty thousand pounds (20,000 lbs.)
- (b) **MAXIMUM TANDEM AXLE LOAD.**
 - (1) The total gross load imposed on the highway by two (2) or more consecutive axles whose centers may be included between parallel transverse vertical planes spaced more than forty inches (40") and not more than ninety-six inches (96") apart, extending across the full width of the vehicle, shall not exceed thirty-four thousand pounds (34,000 lbs.)
 - (2) No one (1) axle of any such group of two (2) or more consecutive axles shall exceed the load permitted for a single axle.
- (c) **MAXIMUM WEIGHT ON FRONT OR STEERING AXLE.**
 - (1) (A) The maximum weight imposed on the highway by the front or steering axle of a vehicle shall not exceed twelve thousand pounds (12,000 lbs.).
 - (B) A "front or steering axle", for the purposes of this subsection, shall be defined as an axle attached to the front of the vehicle and which is utilized to steer the vehicle on a given path or direction.
 - (2) (A) The Director of State Highways and Transportation may issue special permits for a maximum single front steering axle weight not to exceed eighteen thousand pounds (18,000 lbs.) and a maximum tandem front steering axle weight of not to exceed

thirty-two thousand pounds (32,000 lbs.) for vehicles of special design, equipment, or construction, engaged in occasional or specialized heavy hauling, such as, but not limited to, hauling of heavy machinery, commodities which require specialized equipment, oil or gas field equipment, or similar equipment, for a period of not more than one (1) year, upon application containing satisfactory proof that the vehicles are used solely for the above purposes.

- (B) Permits may contain such limitations as the director may deem necessary for safety, including, but not limited to, speed of operation.
- (3) The permits authorized under this subsection shall apply only to the front steering axle and shall not affect the requirement of 27-35-210 that special permits be obtained for vehicles exceeding other maximum size or weight limitations imposed in this subchapter.
- (d) (1) Subject to the limit upon the weight imposed upon the highway through any one (1) axle as set forth in subsections (a)-(c) of this section, no vehicle, or combination of vehicles, shall be operated upon the highways of this state when the gross weight is in excess of eighty thousand pounds (80,000 lbs.).
 - (2) (A) The foregoing maximum gross weights shall be applicable to vehicles, or combinations of vehicles, operated on highways in this state that are a part of the federal interstate highway system or that have been designated by the State Highway Commission as primary highways. of any vehicles, or combinations thereof, shall not exceed sixty-four thousand pounds (64,000 lbs.).
 - (3) (A) However, vehicles, or any combination of vehicles, of a gross weight in excess of sixty-four thousand pounds (64,000 lbs.) and not in excess of seventy-three thousand two hundred eighty pounds (73,280 lbs.) may operate upon the secondary highways of the state at a speed not in excess of forty (40) miles per hour.
 - (B) Vehicles, or any combination of vehicles of a gross weight in excess of seventy-three thousand two hundred eighty pounds (73,280 lbs.) and not in excess of eighty thousand pounds (80,000 lbs.) operating on the secondary highways of the state shall also be limited to a maximum speed of forty (40) miles per hour.
 - (4) Greater gross weights than permitted may be authorized by special permit issued by competent authority as authorized by law, or lesser gross weights will be required when highways are posted.
- (e) (1) No vehicle, or combination of vehicles, shall operate upon any highway in this state when the total gross load imposed on the highway by the wheels of any one (1) single axle of such vehicle or combination exceeds eighteen thousand pounds (18,000 lbs.), nor when the total gross load imposed on the highway by two (2) or more consecutive axles of any such vehicle or combination of vehicles whose centers may be included between parallel transverse vertical planes spaced more than forty inches (40") and not

more than ninety-six inches (96”) apart, extending across the full width of the vehicle or combination of vehicles, exceeds thirty-two thousand pounds (32,000 lbs.), nor when the total gross weight of the vehicle, or combination of vehicles thereof, is in excess of seventy-three thousand two hundred eighty pounds (73,280 lbs.) unless the vehicle, or combination thereof, shall not exceed the value given in Table I corresponding to the distance in feet between the extreme axles of the group, measured longitudinally to the nearest foot.

Table 1

GROSS WEIGHTS ALLOWABLE UNDER THE FORMULA CONTAINED IN THE FEDERAL WEIGHT LAW ENACTED JANUARY 4, 1975, THAT ARE APPLICABLE TO VEHICLES OR COMBINATIONS THEREOF IN ARKANSAS

$$\text{FORMULA: } W = \frac{(500 LN + 12n + 36)}{n-1}$$

Except that two (2) consecutive sets of tandem axles may carry a gross load of thirty-four thousand pounds (34,000 lbs.) each, providing that the overall distance between the first and last axles of the consecutive sets of tandem axles is thirty-six feet (36') or more.

W = maximum weight in pounds carried on any group of two (2) or more axles computed to the nearest five hundred pounds (500 lbs.)

L = distance in feet between the extremes of any group of two (2) or more consecutive axles.

N = number of axles in group under consideration.

Distance in ft. between the extremes of any group of two or more consecutive axles	Maximum load in pounds carried on any group of two or more consecutive axles		
	4 axles	5 axles	6 axles
33			74,000
34			74,500
35			75,000
36			75,500
37			76,000
38			77,000
39			77,500
40			78,000
41			78,500
42		74,000	79,000
43		75,000	80,000
44		75,500	80,000

45		76,000	80,000
46		76,500	80,000
47	73,500	77,500	80,000
48	74,000	78,000	80,000
49	74,500	78,500	80,000
50	75,500	79,000	80,000
51	76,000	80,000	80,000
52	76,500	80,000	80,000
53	77,500	80,000	80,000
54	78,000	80,000	80,000
55	78,500	80,000	80,000
56	79,000	80,000	80,000
57	80,000	80,000	80,000

- (2) (A) If the federal Highway Administration or the United States Congress prescribes or adopts vehicle size or weight limits greater than those prescribed by the Federal-Aid Highway Act of 1956, which limits exceed, in full or in part, the provisions of subsection (a), (b), (c), (d), or (e) of this section, the State Highway Commission shall adopt size and weight limits comparable to those prescribed or adopted by the Federal Highway Administration or the United States Congress and shall authorize the limits to be used by owners or operators of vehicles while the vehicles are using highways within this state.
- (B) No vehicle size or weight limit so adopted by the commission shall be less in any respect than those provided for in subsection (a), (b), (c), (d), or (e) of this section.
- (f) (1) (A) Vehicles, or a combination of vehicles, transporting products commonly recognized in interstate commerce at gross weights exceeding seventy-three thousand two hundred eighty pounds (73,280 lbs.) shall be permitted direct access across any highway in this state to or from the nearest federal interstate highway or the nearest state primary highway.
- (B) Vehicles, or combinations thereof, shall be subject to the limits set forth in subsections (a)-(e) and (g) of this section.
- (2) Where more than one (1) highway in this state affords access to or from the point of shipment or receipt within this state, the State Highway Commission may designate the access route to or from the nearest federal interstate highway or state-designated primary highway.
- (g) (1) (A) Vehicles, or combinations of vehicles, which vehicles or combinations of vehicles have a total outside width in excess of one hundred two inches (102") but not exceeding one hundred eight inches (108") used for hauling compacted seed cotton from the farm to the first point at which such seed cotton shall first undergo any processing, preparation for processing, or transformation from its compacted state shall be permitted an eight

thousand pounds (8,000 lbs.) per axle variance above the maximum allowable gross axle weight for single and tandem axles set forth in subsections (a) and (b) and subdivision (c)(1) of this section; provided, no such variance for such vehicles from the formula prescribed in subsection (e) of this section, nor from the axle weight nor overall maximum gross weight shall be allowable on federal interstate highways. Provided, further, no vehicle or combination of vehicles permitted the above axle variance, which vehicle or combination of vehicles has only three (3) axles, shall exceed a maximum overall gross weight of seventy thousand pounds (70,000 lbs.) and no such vehicle or combination of vehicles permitted the above axle variance, which vehicle or combination of vehicles has four (4) or more axles, shall exceed a maximum overall gross weight of eighty thousand pounds (80,000 lbs.).

- (B) Vehicles, or combinations of vehicles, with five (5) axles and used exclusively by the owner of livestock or poultry for hauling animal feed to the owner's livestock or poultry for consumption in this state shall be permitted an eight percent (8%) variance above the allowable gross weight whenever the formula in subsection (e) of this section is applied to the vehicle or combination of vehicles. A maximum gross weight, including any allowable variance or tolerance, shall not exceed eighty thousand pounds (80,000 lbs.).
 - (C) Vehicles, or combinations of vehicles, used exclusively for hauling solid waste, as defined by regulations promulgated by the State Highway Commission, shall be permitted an eight percent (8%) variance above the allowable gross weight whenever the formula in subsection (e) of this section is applied to the vehicle or combination of vehicles. However, the maximum gross weight, including any allowable variance or tolerance, shall not exceed eighty thousand pounds (80,000 lbs.).
- (2) (A) Vehicles, or a combination of vehicles, meeting all of the requirements of subdivision (g)(1)(B) or subdivision (g)(1)(C) of this section shall not be required to meet the tandem axle load limits of subsection (b) of this section if the vehicles, or combinations thereof, do not exceed the allowable gross weight permitted by the formula in subsection (e) of this section, plus any variance, and do not exceed a gross weight of eighty thousand pounds (80,000 lbs.).
- (B) (i) No tandem axle on any vehicle, or a combination of vehicles, meeting all of the requirements of subdivision (g)(1)(B) or subdivision (g)(1)(C) of this section shall exceed thirty-six thousand five hundred pounds (36,500 lbs.) under this subsection.
 - (ii) No variance on gross weight or axle shall be permitted on federal interstate highways.

- (iii) When a violation of this subsection occurs, fines and penalties to be assessed for vehicles otherwise meeting the requirements of subdivision (g)(1)(B) or subdivision (g)(1)(C) of this section shall be computed only on the basis of the excess weight over the above the maximum weight for which the vehicle qualifies under the formula prescribed in subsection (e) of this section plus an eight percent (8%) variance.
 - (iv) When a violation of this subsection occurs, fines and penalties to be assessed for vehicles otherwise meeting the requirements of subdivision (g)(1)(A) of this section shall be computed only on the basis of the excess weight over and above seventy thousand pounds (70,000 lbs.), including the variance, for a three-axle vehicle, or combination of vehicles, and only on the basis of the excess weight over and above eighty thousand pounds (80,000 lbs.), including the variance, for a vehicle, or combination of vehicles, with four (4) or more axles.
 - (h)
 - (1) When any axle, including any enforcement tolerance, is overloaded, but the total weight of all axles, including the steering axle, does not exceed the maximum total weight allowed for all axles, including the steering axles, the operator shall be permitted to unload a portion of the load or to shift the load if this will not overload some other axle, without being charged with violating this section and without being required to pay the penalties provided by law.
 - (2) The maximum axle load provided for in this section is subject to reduction as provided in §§ 27-35-101 - 27-35-103.
 - (i)
 - (1) Vehicles, or combinations of vehicles, with five (5) axles hauling sand, gravel, rock, or crushed stone and vehicles or combinations of vehicles with five (5) axles hauling unfinished and unprocessed farm products, forest products, or other products of the soil shall be exempt from the federal bridge formula found in subsection (e) of this section on non-interstate highways in this state.
 - (2)
 - (A) Vehicles, or combinations of vehicles, with five (5) axles hauling sand, rock, or crushed stone shall comply with a tandem axle limit of thirty-four thousand pounds (34,000 lbs.) and a single axle limit of twenty thousand pounds (20,000 lbs.)
 - (B) Vehicles or combinations of vehicles, with five (5) axles hauling unfinished and unprocessed farm products, forest products, or other products of the soil shall comply with a tandem axle limit of thirty-six thousand five hundred pounds (36,500 lbs.) and a single axle limit of twenty thousand pounds (20,000 lbs.).
 - (C) Provided no tandem axle shall exceed thirty-four thousand pounds (34,000 lbs.) while operated on the federal interstate highways of this state.

- (3) No vehicle, or combination of vehicles, meeting all of the requirements of this subsection, shall be allowed any variance on overall gross weight or axle weight while operating on the federal interstate highways.
- (j) Any operator found violating the provisions of subsection (d) prohibiting the operation of vehicles, or combination of vehicles, of a gross weight in excess of sixty-four thousand pounds (64,000 lbs.) and not in excess of eighty thousand pounds (80,000 lbs.) upon the secondary highways of the state at a speed in excess of forty (40) miles per hour, or any owner, principal, employer, lessor, lessee, agent, or officer of any firm or corporation who permits such operator to violate these provisions, shall be guilty of a misdemeanor as prescribed in 27-35-202 and shall, in addition, pay a penalty, to be computed as prescribed in 27-35-202, for all weight loads in excess of sixty-four thousand pounds (64,000 lbs.).

27-35-06. Width of vehicles.

No vehicle operated upon the highways of this state shall have a total outside width, unladen or with load, in excess of one hundred two inches (102") excluding certain safety devices as designated by the state, unless a greater width is authorized by special permit issued by competent authority as provided in 27-35-210. Provided, vehicles, as defined in subsection (a) of 27-14-207, utilized to transport compacted seed cotton from the farm to the first point at which such seed cotton shall first undergo any processing, preparation for processing, or transportation from its compacted state may operate upon all highways of this state, with the exception of federal interstate highways, with widths not exceeding one hundred eight inches (108") without such special permit; however, such vehicles must be equipped and operated in compliance with the traffic laws of this state as well as all safety rules and regulations of the United States Department of Transportation and the State Highway Commission. Additionally, such vehicles utilized to transport compacted seed cotton with widths exceeding one hundred two inches (102"); but not exceeding one hundred eight inches (108"), must be equipped and operated with both front and rear bumpers if operated individually, or, if operated in combination with other vehicles, must be equipped with a front bumper on the vehicle furnishing the motive power and with a rear bumper on the rear vehicle operated in that combination. Further, such vehicles, when operated individually, or in combination with other vehicles, on the roads, highways, or streets of this state must be equipped with a sign or placard on the front and on the rear of such vehicle when operated individually, or on the front of the vehicle furnishing the motive power and on the rear of any vehicle operated in combination with the vehicle furnishing the motive power, when operated in combination, indicating that vehicle or combination of vehicles is slow-moving. Such signs or placards shall be of such size, dimension, and color that it is readily apparent to the traveling public that such vehicle or combination is slow-moving and shall be in accordance with rules and regulations to be made and promulgated by the State Highway Commission and any person owning such a vehicle or combination of vehicles found operating such a vehicle or combination on the highways, roads, or streets of this state without the required bumpers or without the required signs or placards shall be deemed guilty of a misdemeanor and, upon conviction, shall be fined a sum of not less than three hundred dollars (\$300) and not more than three thousand dollars (\$3,000).

27-35-208. Length of Vehicles.

- (a) (1) No single truck operated on the highways of this state, unladen or with load, shall have an overall length in excess of forty feet (40').
- (2) Provided, any single truck, unladen or with load, utilized to transport compacted seed cotton from the farm to the first point at which such seed cotton shall first undergo any processing, preparation for processing, or transformation from its compacted state may be operated on the highways of this state with the exception of federal interstate highways with an overall length in excess of forty feet (40') but no more than fifty-five feet (55').
- (b) No bus operated on the highways of this state shall have an overall length in excess of forty feet (40')
- (c) (1) (A) No semitrailer or trailer operated on the highways of this state in a truck tractor-semitrailer combination or a truck tractor-trailer combination shall have an overall length, unladen or with load, greater than those lengths that were in actual and lawful use in this state on December 1, 1982.
- (B) The state shall not establish or enforce any regulation which imposes a semitrailer or trailer length limitation of less than forty-eight feet (48') on a semitrailer or trailer unit operating in combination with a truck tractor unit.
- (2) (A) No semitrailer or trailer operated on the highways of this state in a truck tractor-semitrailer-trailer combination shall have an overall length, unladen or with load, in excess of twenty-eight feet (28')
- (B) Existing semitrailers or trailers of twenty-eight feet, six inches (28' 6") that were in actual and lawful use on December 1, 1982, shall not be prohibited.
- (3) The length limitations described in this subsection (c) shall be exclusive of coupling devices, energy conservation devices, and safety devices as provided by federal regulations.
- (d) (1) These length limitations shall not apply to:
 - (A) Vehicles operated in the daytime when transporting poles, pipes, machinery, or other objects of a structural nature which cannot readily be dismembered; nor to
 - (B) Vehicles transporting objects operated at nighttime by a public utility or its agents or by electric or telephone cooperatives or their agents when required for emergency repair of public facilities or properties or when operated under special permit as provided by law
- (2) In respect to night transportation, every vehicle and the load thereon shall be equipped with a sufficient number of clearance lamps on both sides and marker lamps upon the extreme ends of any projecting load to clearly mark the dimensions of the load.

- (e) (1) (A) Notwithstanding any other provisions of this subchapter, a combination of vehicles engaged in the transportation of automobiles or other motor vehicles shall be permitted a load extension of three feet (3') beyond the front and four feet (4') beyond the rear of the combination.
- (B) This extension shall not be considered in determining the overall length of the combination of vehicles.
- (2) Clearance lights or reflectors on the transported vehicles shall be used to delineate the extension of the load when applicable.
- (f) No motor vehicle shall be operated on the highways, roads, or streets of this state with more than two (2) trailing vehicles.
- (g) Subsection (a) of this section does not apply to vehicles collecting garbage, rubbish, refuse, or recyclable materials which are equipped with front-end loading attachments and containers provided that the vehicle is actively engaged in the collection of garbage, rubbish, refuse, or recyclable materials. For the purposes of this subsection, , the term “actively engaged” shall mean during the actual process of collecting garbage, rubbish, refuse, or recyclable materials with the front-end loading attachment or attachments in the downward position.

27-35-210. Permits for special cargoes.

- (a) (1) (A) The State Highway commission, with respect to highways under its jurisdiction, and local authorities, with respect to highways under their jurisdiction, may, in their discretion and as provided in this section, upon receipt of application made in person or by telephone, telegraph, or in writing and upon good cause being shown therefor, issue a special permit in writing to applicants desiring to transport cargoes of such nature that the cargo cannot readily be taken apart, separated, dismembered, or otherwise reduced in size or weight.
- (B) The permit shall authorize the applicant to operate or move a vehicle or combination of vehicles of a size or weight of vehicle or load exceeding the maximum specified in this subchapter or otherwise not in conformity with the provisions of this subchapter upon any highway under the jurisdiction of the agency granting the permit and for the maintenance of which the agency is responsible.
- (C) No vehicle or combination of vehicles with a multi-unit or otherwise reducible overload may be issued a special permit as provided in this section.
- (D) The commission may delegate to other state agencies the authority given in this section to issue special permits.
- (2) (A) It shall not be necessary to obtain a permit for nor shall it be unlawful to move any vehicle or machinery in excess of the maximum width prescribed in 27-35-206 which is used for normal farm purposes only such as, but not limited to, hay harvesting equipment, plows, tractors, bulldozers, combines, etc., where:

- (i) It is hauled on a vehicle licensed as a natural resources vehicle
 - (ii) The vehicle or machinery is being transported by a farm machinery equipment dealer or repairman in making a delivery or new or used equipment or machinery to the farm of the purchaser; or
 - (iii) The vehicle or machinery is being used in making a pickup and delivery of the farm machinery or equipment from the farm to shop of a farm equipment dealer or repairman for repairs and return to the farm; and the movement is performed during daylight hours within radius of fifty (50) miles of the point of origin thereof and where no part of the movement is upon any highway designated and known as a part of the national system of interstate and defense highways or upon any fully controlled access highway facility.
- (B) It shall not be unlawful to nor shall it be necessary to obtain a special permit to transport round bales of hay upon any public highway or road that is not fully controlled highway or road if the load does not exceed twelve feet (12') in width.
- (b) (1) (A) Except as is otherwise provided for by law, no application shall include nor shall any permit be issued for more than a single continuous movement or operation by one (1) vehicle.
- (B) An application may include a request for and a permit may be issued for two (2) or more consecutive movements or operations by a vehicle, all of which shall be executed or performed within six (6) consecutive days and which must be limited to two (2) contiguous counties within the state, which counties must be specified at the time of application.
- (C) (i) An application may include a request for a permit for consecutive movements or operations of a vehicle with a cargo not exceeding ten feet eight inches (10'8") in width along one designated route, all of which movements or operations have origins from an adjacent state and which movements or operations shall be executed or performed within the period of valid vehicle registration.
- (ii) A permit may be issued at a fee of one thousand (\$1,000) per year.
- (iii) The permit shall be limited to one (1) county within the state where the one-way mileage into that county and within the state is no greater than fifteen (15) miles.
- (2) (A) (i) Upon application and the payment of an annual fee of one hundred dollars (\$100), the Director of State Highways and Transportation shall issue a special permit for the movement of a crane which exceeds the length as provided in 27-35-208, and which is moved on pneumatic tires

within a radius of thirty-five (35) miles of a point of origin of the movement, for a period of one (1) year from the date of the issuance of the permit.

- (ii) Upon an application containing satisfactory proof that the vehicle is utilized solely for the following movements, the director may issue a special permit for a maximum load overhang beyond the front of a vehicle, which load exceeds the maximum provided in 27-35-106, but not exceeding five feet (5'), for a vehicle equipped with pneumatic tires and utilized exclusively for the movements of cranes for a period of not more than one (1) year.
- (B) (i) Upon application and the payment of an annual fee, the director shall issue a special permit for the movement of a vehicle of special design utilized exclusively for the drilling of water wells which exceeds the length as provided in 27-35-208, and which is moved on pneumatic tires, for a period of one (1) year from the date of issuance of the permit.
 - (ii) (a) For annual movements within a radius of thirty-five (35) miles of a point of origin of the movements, the annual fee shall be one hundred dollars (\$100).
 - (b) For annual movements exceeding the thirty-five-mile radius, the annual fee shall be three hundred dollars (\$300).
 - (c) The permits authorized by this subsection (b) may contain limitations on the speed of operation and the routes of operation as the director may deem necessary for safety to the traveling public.
- (3) The permits authorized by this subsection (b) for the overlength vehicle or vehicles shall not affect the other requirements of this section that special permits be obtained for vehicles exceeding other maximum size and weight limitations imposed by law.
- (c) The application for any permit shall specifically describe:
 - (1) The vehicle and the load to be operated or moved;
 - (2) The origin and destination of the vehicle and load;
 - (3) The approximate dates within which the operation or movement is to be completed; and
 - (4) The particular highways for which a permit to operate is requested.
- (d) Any agency authorized in this section to issue special permits is authorized:
 - (1) To issue or withhold the permit at its sole discretion, but its action in withholding a permit must be based upon the condition and state of repair of the highway involved, upon the ability of the highways to carry the overweight or oversized vehicle, or upon the danger to the traveling public from the standpoint of safety;
 - (2) To establish seasonal or other time limitations within which the vehicles described may be operated on the highways indicated;

- (3) To otherwise limit or prescribe conditions of operation of the vehicles when necessary to assure against damage to the road foundation, surfaces, or structures; and
- (4) To require a bond or other security as may be deemed necessary by the agency to compensate for any injury to any roadway or road structure arising out of the operation under the permit.
- (e)
 - (1) A charge of twelve dollars (\$12.00) shall be made for each special permit.
 - (2) In addition, for each ton or major fraction thereof to be hauled in excess of the lawful weight and load for that vehicle or combination of vehicles, charges shall be made as follows:

Mileage to be traveled is:	On each ton, per ton or fraction thereof
Not more than 100 miles.....	\$8.00
101 miles to 150 miles, inclusive.....	10.00
151 miles to 200 miles, inclusive.....	12.00
201 miles to 250 miles, inclusive.....	14.00
Over 251 miles.....	16.00

- (f)
 - (1) Each permit shall be carried in the vehicle to which it refers and shall be open to inspection by any police officer or authorized agent of any authority granting the permit.
 - (2) No person shall violate any of the terms or conditions of the special permit.
- (g) It shall be the duty of the respective agencies authorized in this section:
 - (1) To issue the permits provided for in this section;
 - (2) To collect the fees therefor at the time of the issuance of the permits, except that any applicant may furnish a corporate surety bond guaranteeing the payment of fees for permits as may be issued during any period of time, in accordance with the rules and regulations promulgated by the issuing agency; and
 - (3) To transmit the fees to the Treasurer of State to be credited to the State Highway and Transportation Department Fund.
- (h) No fee shall be charged to any federal, state, county, or municipal governmental agency for any permit issued under the provisions of this section when the vehicle involved is public property and the proposed movement is on official business.
- (i)
 - (1) The commission is hereby authorized to issue permits for the movement of any overweight mobile construction vehicle or equipment upon highways under the commission's jurisdiction provided that the vehicle or equipment is equipped with pneumatic tires and has been reduced in size and weight until further reduction is impractical.
 - (2) A charge of twelve dollars (\$12.00) shall be made for each special permit. In addition, for each ton or major fraction thereof to be hauled in excess of the lawful weight and load for that vehicle or equipment, charges shall be made as follows:

Mileage to be traveled	On first 5 tons per ton or fraction thereof	On next 5 tons, per ton or fraction thereof	On any additional tonnage, per ton or fraction thereof
Not more than 100 miles	\$1.25	\$2.50	\$3.75
101 miles to 150 miles, inclusive	\$2.00	\$3.50	\$5.00
151 miles to 200 miles, inclusive	\$2.50	\$4.50	\$6.25
201 miles to 250 miles, inclusive	\$3.25	\$5.50	\$7.50
Over 251 miles	\$3.75	\$6.25	\$8.75

- (j) (1) The commission may issue special permits authorizing the transport of round bales of hay on controlled highways under its jurisdiction provided that the load does not exceed ten feet (10') in width.
- (2) The special permits shall be issued without a fee or other charge and shall expire three (3) days after the date of issuance.
- (k) (1) The commission is authorized to issue special permits at a charge of one hundred dollars (\$100) for a one-year permit for the movement of cross ties from their first point of processing to the point at which they shall undergo creosote processing by five-axle vehicles registered and licensed pursuant to 27-14-601(a)(3)(G)(ii) where the loaded weight on the tandem axle on such vehicles is greater than the allowable tandem axle limit of thirty-four thousand pounds (34,000 lbs.) provided that the one-way mileage for such trip is no greater than one hundred (100) miles, that no tandem axle weight exceeds thirty-six thousand five hundred pounds (36,500 lbs.), and that no portion of such trip is on any part of the federal interstate highways.
- (2) The commission shall issue no more than five (5) special permits to the same person during the same calendar year.
- (1) (1) The State Highway Commission is hereby authorized to issue special permits in conformance with the provisions of this section for the movement of sealed containerized cargo units upon highways under the commission's jurisdiction subject to the restrictions and conditions deemed appropriate by the commission as contained within this section and the following additional restrictions:
 - (A) Such containerized cargo units must be part of international trade and be moved on the highways due to importation from or exportation to another country;
 - (B) A copy of the international bill of lading signed by a customs official or an international bill of lading with equipment interchange and inspection report must be submitted to the commission before a permit may be issued;
 - (C) The operators of such units shall at all times have in their possession a copy of the documents as described in subdivision (1)(1)(B) of this section;
 - (D) All vehicles operating under a sealed containerized cargo unit permit shall have a minimum of five (5) full-time load-bearing axles and shall not exceed twenty thousand pounds (20,000 lbs.)

per axle or total gross vehicle weight of ninety thousand pounds (90,000 lbs.);

- (E) All vehicles operating under a sealed containerized cargo unit permit must not exceed the legal width, length, or height restrictions as set out in this subchapter; and
 - (F) The payment of the charges for each special permit as ascertained in the manner set out in subsection (e) of this section.
- (2) A special permit may be issued pursuant to this subsection (1) only for a single continuous movement or operation to be executed or performed within six (6) consecutive days of the issuance of the permit by one (1) vehicle within one (1) county of this state.

27-36-204. When lighted lamps required.

- (a) (1) Every vehicle, except motorcycles and motor-driven cycles, upon a highway within this state at any time from one-half (1/2) hour after sunset to one-half (1/2) hour before sunrise and at any other time when there is not sufficient light to render clearly discernible persons and vehicles on the highway at a distance of five hundred feet (500') ahead shall display lighted lamps and illuminating devices as respectively required for different classes of vehicles, subject to exceptions with respect to parked vehicles as stated.
 - (2) (A) Every vehicle, except motorcycles and motor-driven cycles, upon a street or highway within this state shall display lighted lamps and illuminating devices, as respectively required for different classes of vehicles, during any period in which the vehicle's windshield wipers are being used for clearing or cleaning rain, snow, or other precipitation from the windshield because of inclement weather.
 - (B) (i) No vehicle or the operator of the vehicle shall be stopped, inspected, or detained solely for violations of the requirements of subdivision (a)(2)(A) of this section .
 - (ii) When any vehicle operator is stopped by a law enforcement officer and the law enforcement officer notes that the provisions of subdivision (a)(2)(A) of this section have not been violated, any fine levied against the vehicle operator as a result of being stopped shall be reduced by five dollars (\$5.00) as an incentive to comply with the provisions of subdivision (a)(2)(A) of this section.
 - (C) Any person who violates the provisions of subdivision (a)(2)(A) of this section shall be subject to a fine not to exceed twenty-five dollars (\$25.00) and, if a person is convicted, pleads guilty, pleads nolo contendere, or forfeits bond for a violation hereof, no court costs or other costs or fees shall be assessed.
- (b) Every motorcycle and every motor-driven cycle upon a street or highway within this state at any time shall display lighted lamps and illuminating devices as respectively required for different classes of vehicles, subject to exceptions with

respect to parked vehicles as stated. During the period between sunrise and ending at sunset, the headlamp displayed by a motorcycle or motor-driven cycle may use either a continuous beam or a pulsating beam.

- (c) Whenever a requirement is declared as to distance from which certain lamps and devices shall render objects visible or within which the lamps or devices shall be visible, the provisions shall apply during the times stated in subsection (a) of this section in respect to a vehicle without load when upon a straight, level, unlighted highway under normal atmospheric conditions, unless a different time or condition is expressly stated.
- (d) Whenever a requirement is declared as to the mounted height of lamps or devices, it shall mean from the center of the lamp or device to the level ground upon which the vehicle stands when the vehicle is without a load.

27-36-205. Use of parking lights.

- (a) No motor vehicle shall be operated on the public streets, highways, or roads of this state while the parking lights or lamps of such motor vehicle are on unless the headlamps are also on.
- (b) This section shall not apply to a motor vehicle which is parked.

27-36-206. Lamps on parked vehicles.

- (a) Whenever a vehicle is parked or stopped upon a roadway or shoulder adjacent thereto, whether attended or unattended during the times mentioned in 27-36-204, the vehicle shall be equipped with one (1) or more lamps which shall exhibit a white or amber light on the roadway side visible from a distance of five hundred feet (500') to the front of the vehicle and a red light visible a distance of five hundred feet (500') to the rear.
- (b) Local authorities may provide by ordinance or resolution that no lights need be displayed upon any such vehicle when stopped or parked in accordance with local parking regulations upon a highway where there is sufficient light to reveal any person or object within a distance of five hundred feet (500') upon the highway.
- (c) Any lighted headlamps upon a parked vehicle shall be depressed or dimmed.

27-36-207. Number of driving lamps required or permitted.

- (a) At all times specified in 27-36-204, at least two (2) lighted lamps shall be displayed, one (1) on each side at the front of every motor vehicle, except when the vehicle is parked subject to the regulations governing lights on parked vehicles.
- (b) Whenever a motor vehicle equipped with headlamps as required in this subchapter is also equipped with any auxiliary lamps or a spot lamp or any other lamp on the front thereof projecting a beam of an intensity greater than three hundred (300) candlepower, not more than a total of four (4) of any such lamps on the front of a vehicle shall be lighted at any one time when on a highway.

27-36-209. Head lamps.

- (a) (1) Every motor vehicle other than a motorcycle or motor-driven cycle shall be equipped with at least two (2) headlamps, with at least one (1) on each side of the front of the motor vehicle.
- (2) The headlamps shall comply with the requirements and limitations set forth in this subchapter.
- (b) Every motorcycle and every motor-driven cycle shall be equipped with at least one (1) and not more than (2) headlamps, which shall comply with the requirements and limitations of this subchapter.
- (c) Every headlamp upon every motor vehicle, including every motorcycle and motor-driven cycle, shall be located at a height measured from the center of the headlamp of not more than fifty-four inches (54") nor less than twenty-four inches (24"), to be measured as set forth in 27-36-204.

27-36-210. Multiple-beam road lighting equipment.

- (a) Except as otherwise provided, the headlamps or the auxiliary driving lamp or the auxiliary passing lamp, or combination thereof, on motor vehicles, other than motorcycles or motor-driven cycles, shall be so arranged that the driver may select at will between distributions of light projected to different elevations.
- (b) The lamps may, in addition, be so arranged that the selection can be made automatically, subject to the following limitations:

27-36-212. Single-beam road lighting equipment.

Headlamps arranged to provide a single distribution of light not supplemented by auxiliary driving lamps shall be permitted on motor vehicles manufactured and sold prior to one (1) year after March 23, 1938, in lieu of multiple-beam road lighting equipment specified in 27-36-210 if the single distribution of light complies with the following requirements and limitations:

- (1) The headlamps shall be so aimed that when the vehicle is not loaded none of the high intensity portion of the light shall, at a distance of twenty-five feet (25') ahead, project higher than a level of five inches (5") below the level of the center of the lamp from which it comes and in no case higher than forty-two inches (42") above the level on which the vehicle stands at a distance of seventy-five feet (75') ahead;
- (2) The intensity shall be sufficient to reveal persons and vehicles at a distance of at least two hundred feet (200').

27-36-213. Alternate road lighting equipment.

- (a) Any motor vehicle may be operated under the conditions specified in 27-36-204 when equipped with two (2) lighted lamps under the front capable of revealing persons and objects seventy-five feet (75') ahead in lieu of lamps required in 27-36-210 or 27-36-212.

- (b) At no time shall the vehicle be operated at a speed in excess of twenty (20) miles per hour.

27-36-215 Tail lamps and reflectors.

- (a) (1) Every motor vehicle, trailer, semitrailer, and pole trailer, and any other vehicle which is being drawn at the end of a train of vehicles, shall be equipped with at least one (1) tail lamp mounted on the rear, which, when lighted as required, shall emit a red light plainly visible from a distance of five hundred feet (500') to the rear.
- (2) In the case of a train of vehicles, only the tail lamp on the rearmost vehicle need actually be seen from the distance specified.
- (3) Every mentioned vehicle, other than a truck tractor, registered in this state and manufactured or assembled after June 11, 1959, shall be equipped with at least two (2) tail lamps mounted on the rear, on the same level and as widely spaced laterally as practicable, which, when lighted as required, shall comply with the provisions of this section.
- (b) Every tail lamp upon every vehicle shall be located at a height of not more than seventy-two inches (72") nor less than twenty inches (20").
- (c) (1) (A) Either a tail lamp or a separate lamp shall be so constructed and placed as to illuminate with a white light the rear registration plate and render it clearly legible for a distance of fifty feet (50') to the rear.
- (B) It shall be a violation of this subsection (c) for any other color of light to be displayed around the registration plate or for white light to be excessively used so as to render the registration plate illegible from a distance of less than fifty feet (50').
- (2) Any tail lamp or tail lamps, together with any separate lamp for illuminating the rear registration plate, shall be so wired as to be lighted whenever the headlamps or auxiliary driving lamps are lighted.
- (d) (1) Every new motor vehicle sold and operated upon a highway, other than a truck tractor, shall carry on the rear, either as a part of the tail lamps or separately, two (2) red reflectors.
- (2) Every motorcycle and every motor-driven cycle shall carry at least one (1) reflector, meeting the requirements of this section.
- (3) Vehicles of the type mentioned in 27-36-219 shall be equipped with reflectors as required in those sections applicable thereto.
- (e) (1) Every reflector shall be mounted on the vehicle at a height not less than twenty inches (20") nor more than sixty inches (60"), measured as set forth in 27-36-204 and shall be of such size and characteristics and so mounted as to be visible at night from all distances within three hundred fifty feet (350') to one hundred feet (100') from the vehicle when directly in front of lawful upper beams of headlamps.
- (2) Visibility from a greater distance will be required of reflectors on certain types of vehicles.

27-36-221. Auxiliary driving lights.

It is unlawful to operate any motor vehicle on a public street or highway with any auxiliary driving lights on unless such lights are original equipment lighting installed by the vehicle manufacturer prior to the initial retail sale of the motor vehicle, or fog lamps conforming to the provisions set forth in 27-36-214(b), or are auxiliary driving or passing lamps conforming to the provisions set forth in 27-36-214(c) and (d).

27-36-216. Signal lamps and signal devices.

- (a) (1) Any motor vehicle may be equipped, and when required under this subchapter shall be equipped, with a stop lamp or lamps on the rear of the vehicle which shall display a red or amber light, or any shade of color between red and amber, visible from a distance of not less than one hundred feet (100') to the rear in normal sunlight.
- (2) They shall be actuated upon application of the service or foot brake, which may, but need not, be incorporated with one (1) or more other rear lamps.
- (b) (1) Any motor vehicle may be equipped, and when required under this subchapter shall be equipped, with lamps showing to the front and rear for the purpose of indicating an intention to turn either to the right or left.
- (2) (A) The lamps showing to the front shall be located on the same level and as widely spaced laterally as practicable and when in use shall display a white or amber light, or any shade of color between white and amber, visible from a distance of not less one hundred feet (100') to the front in normal sunlight; and
- (B) The lamps showing to the rear shall be located at the same level and as widely spaced laterally as practicable and when in use shall display a red or amber light, or any shade of color between red and amber, visible from a distance of not less than one hundred feet (100') to the rear in normal sunlight.
- (3) When actuated, these lamps shall indicate the intended direction of turning by flashing the lights showing to the front and rear on the side toward which the turn is made.
- (c) (1) Any motor vehicle, or combination of vehicles, eighty inches (80") or more in overall width and manufactured or assembled after July 1, 1959, shall be equipped with lamps showing to the front and rear for the purpose of indicating an intention to turn either to the right or the left.
- (2) (A) The lamps showing to the front shall be located on the same level and as widely spaced laterally as practicable and when in use shall display a white or amber light, or any shade of color between white and amber, visible from a distance of not less than five hundred feet (500') to the rear in normal sunlight;
- (B) The lamps showing to the rear shall be located at the same level and as widely spaced laterally as practicable and when in use shall display a red or amber light, or any shade of color between red and

- (4) These warning lights shall be visible from a distance of not less than five hundred feet (500') under normal atmospheric conditions at night.
- (e) (1) Any commercial vehicle eighty inches (80") or more in overall width may be equipped with not more than three (3) identification lamps showing to the front, which shall emit an amber light without glare, and not more than three (3) identification lamps showing to the rear, which shall emit a red light without glare.
- (2) Such lamps shall be placed in a row and may be mounted either horizontally or vertically.

27-36-218. Additional lamps and reflectors on buses, trucks, tractors, and trailers.

- (a) In addition to other equipment required by this subchapter, the following vehicles shall be equipped as stated in this section:
 - (1) On every bus or truck, whatever its size, there shall be the following:
 - (A) On the rear, two (2) reflectors, one (1) at each side; and
 - (B) One (1) stop light.
 - (2) On every bus or truck eighty inches (80") or more in overall width, in addition to the requirements in subdivision (a)(1):
 - (A) On the front, two (2) clearance lamps, one (1) at each side;
 - (B) On the rear, two (2) clearance lamps, one (1) at each side;
 - (C) On each side, two (2) side marker lamps, one (1) at or near the front and one (1) at or near the rear; and
 - (D) On each side, two (2) reflectors, one (1) at or near the front and one(1) at or near the rear.
 - (3) On every truck tractor:
 - (A) On the front, two (2) clearance lamps, one (1) at each side;
 - (B) On the rear, one (1) stop light.
 - (4) On every trailer or semitrailer having a gross weight in excess of three thousand pounds (3,000 lbs):
 - (A) On the front, two (2) clearance lamps, one (1) at each side;
 - (B) On each side, two (2) side marker lamps, one (1) at or near the front and one (1) at or near the rear;
 - (C) On each side, two (2) reflectors, one (1) at or near the front and one (1) at or near the rear; and
 - (D) On the rear, two (2) clearance lamps, one (1) at each side; also two (2) reflectors, one (1) at each side, and one (1) stop light.
 - (5) On every pole trailer in excess of three thousand pounds (3,000 lbs.) gross weight;
 - (A) On each side, one (1) side marker lamp and one (1) clearance lamp, which may be in combination, to show to the front, side, and rear; and
 - (B) On the rear of the pole trailer or load, two (2) reflectors, one (1) at each side.
 - (6) On every trailer, semitrailer, or pole trailer weighing three thousand pounds (3,000 lbs.) gross or less:

- (A) On the rear, two (2) reflectors, one (1) on each side; and
 - (B) If any trailer or semitrailer is so loaded or is of dimensions as to obscure the stop light on the towing vehicle, then the vehicle shall also be equipped with one (1) stop light.
- (b) The clearance lamps, side marker lamps, backup lamps, and reflectors required in subsection of this section shall display or reflect the following colors:
- (1) Front clearance lamps and those marker lamps and reflectors mounted on the front or on the side near the front of a vehicle shall display or reflect an amber color;
 - (2) Rear clearance lamps and those marker lamps and reflectors mounted on the rear or on the sides near the rear of a vehicle shall display or reflect a red color; and
 - (3) All lighting devices and reflectors mounted on the rear of any vehicle shall display or reflect a red color, except:
 - (A) The stop light or other signal device, which may be red, amber, or yellow; and
 - (B) The light illuminating the license plate shall be white and the light emitted by a backup lamp shall be white or amber.
- (c) Reflectors, clearance, and side marker lamps, when required by subsection (a) of this section, shall be mounted as follows:
- (1) (A) (i) Reflectors, when required by subsection (a) of this section, shall be mounted at a height not less than twenty-four inches (24") and not higher than sixty inches (60") above the ground on which the vehicle stands.
 - (ii) If the highest part of the permanent structure of the vehicle is less than twenty-four inches (24"), the reflector at such point shall be mounted as high as that part of the permanent structure will permit.
 - (B) The rear reflectors on a pole trailer may be mounted on each side of the bolster or load.
 - (C) Any required red reflector on the rear of a vehicle may be incorporated with the tail lamp, but this reflector shall meet all the other reflector requirements of this subchapter.
 - (2) (A) Clearance lamps shall be mounted on the permanent structure of the vehicle in such a manner as to indicate its extreme width and as near the top thereof as practicable.
 - (B) Clearance lamps and side marker lamps may be mounted in combination, provided illumination is given as required in this section with reference to both.
- (d) Visibility requirements for reflectors, clearance lamps, and side marker lamps when required under subsection (a) of this section shall be as follows:
- (1) (A) Every reflector upon any vehicle referred to in subsection (a) of this section shall be of such size and characteristics and so maintained as to be readily visible at nighttime from all distances within six hundred feet (600') to one hundred feet (100') from the vehicle when directly in front of lawful upper beams of head lamps

- (B) Reflectors required to be mounted on the sides of the vehicle shall reflect the required color of light to the sides, and those mounted on the rear shall reflect a red color to the rear.
- (2) Front and rear clearance lamps shall be capable of being seen and distinguished under normal atmospheric conditions at the times lights are required, at a distance of five hundred feet (500') from the front and rear, respectively, of the vehicle.
- (3) Side marker lamps shall be capable of being seen and distinguished under normal atmospheric conditions at the times lights are required, at a distance of five hundred feet (500') from the side of the vehicle on which mounted.
- (e) (1) Whenever motor and other vehicles are operated in combination during the time that lights are required, any lamp, except tail lamps, need not be lighted when that lamp by reason of its location on a vehicle of the combination would be obscured by another vehicle of the combination.
- (2) This subsection shall not affect the requirement that lighted clearance lamps be displayed on the front of the foremost vehicle required to have clearance lamps, nor that all lights required on the rear of the rearmost vehicle of any combination shall be lighted.

§ 27-36-219. Lamps on farm tractors and equipment.

- (a) (1) Every farm tractor and every self-propelled farm equipment unit or implement of husbandry not equipped with an electric lighting system shall, at all times mentioned in § 27-36-204 be equipped with at least one (1) lamp displaying a white light visible when lighted from a distance of not less than five hundred feet (500') to the front of that vehicle.
- (2) They shall also be equipped with at least one (1) lamp displaying a red light visible when lighted from a distance of not less than five hundred feet (500') to the rear of the vehicle.
- (b) Every self-propelled unit of farm equipment not equipped with an electric lighting system shall, at all times mentioned in § 27-36-204 in addition to the lamps required in subsection (a) of this section, be equipped with two (2) red reflectors visible from all distances within six hundred feet (600') to one hundred feet (100') to the rear when directly in front of lawful upper beams of head lamps.
- (c) Every combination of farm tractor and towed unit of farm equipment or implement of husbandry not equipped with an electric lighting system shall, at all times mentioned in § 27-36-204 be equipped with the following lamps:
 - (1) At least one (1) lamp mounted to indicate, as nearly as practicable, the extreme left projection of the combination and displaying a white light visible when lighted from a distance of not less than five hundred feet (500') to the front of the combination; and
 - (2) Two (2) lamps each displaying a red light visible when lighted from a distance of not less than five hundred feet (500') to the rear of the combination or, as an alternative, at least one (1) lamp displaying a red light visible when lighted from a distance of not less than five hundred

- feet (500') to the rear and two (2) red reflectors visible from all distances within six hundred feet (600') to one hundred feet (100') to the rear when illuminated by the upper beams of head lamps.
- (d)
 - (1) Every farm tractor and every self-propelled unit of farm equipment or implement of husbandry equipped with an electric lighting system shall, at all times mentioned in §27-36-204 be equipped with two (2) single-beam or multiple-beam head lamps meeting the requirements of § 27-36-210 or § 27-36-212 and at least one (1) red lamp visible when lighted from a distance of not less than five hundred feet (500') to the rear.
 - (2) Every self-propelled unit of farm equipment, other than a farm tractor, shall have two (2) red lamps or, as an alternative, one (1) red lamp and two (2) red reflectors visible from all distances within six hundred feet (600') to one hundred feet (100') when directly in front of lawful upper beams of head lamps.
 - (e) Every combination of farm tractor and towed farm equipment or towed implement of husbandry equipped with an electric lighting system shall at all times mentioned in § 27-36-204 be equipped with lamps as follows:
 - (1) The farm tractor element of every such combination shall be equipped as required in subsection (d) of this section;
 - (2) The towed unit of farm equipment or implement of husbandry element of the combination shall be equipped with two (2) red lamps visible when lighted from a distance of not less than five hundred feet (500') to the rear or, as an alternative, two (2) red reflectors visible from all distances within six hundred feet (600') to one hundred feet (100') to the rear when directly in front of lawful upper beams of head lamps.
 - (3) These combinations shall also be equipped with a lamp displaying a white or amber light, or any shade of color between white and amber, visible when lighted from a distance of not less than five hundred feet (500') to the rear.
 - (f)
 - (1) The lamps and reflectors required in this section shall be so positioned as to show from front and rear, as nearly as practicable, the extreme projection of the vehicle carrying them on the side of the roadway used in passing the vehicle.
 - (2) If a farm tractor, or a unit of farm equipment, whether self-propelled or towed, is equipped with two (2) or more lamps or reflectors visible from the front or two (2) or more lamps or reflectors visible from the rear, the lamps or reflectors shall be so positioned that the extreme projections both to the left and to the right of the vehicle shall be indicated as nearly as practicable.
 - (g)
 - (1) Every vehicle, including animal-drawn vehicles and vehicles referred to in §§27-36-102 and 27-37-102 not specifically required by the provisions of this subchapter to be equipped with lamps or other lighting devices, shall, at all times specified in § 27-36-204 be equipped with at least one (1) lamp displaying a white light visible from a distance of not less than five hundred feet (500') to the front of the vehicle.

- (2) Those vehicles shall also be equipped with two (2) lamps displaying a red light visible from a distance of not less than five hundred feet (500') to the rear of the vehicle or, as an alternative, one (1) lamp displaying a red light visible from a distance of not less than five hundred feet (500') to the rear and two (2) red reflectors, visible for distances of one hundred feet (100') to six hundred feet (600') to the rear when illuminated by the upper beams of headlamps.

27-37-101 Violations

It is a misdemeanor for any person to drive, or for the owner to cause or knowingly permit to be driven or moved, on any highway any vehicle, or combination of vehicles, which is in such unsafe condition as to endanger any person, or which does not contain those parts, or is not at all times equipped with equipment in proper condition and adjustment as required in this chapter or which is equipped in any manner in violation of this chapter, or for any person to do any act forbidden or fail to perform any act required under this chapter.

27-37-102 Exemptions from provisions

The provisions of this chapter with respect to equipment on vehicles shall not apply to implements of husbandry, road machinery, road rollers, or farm tractors except as made applicable by this chapter

27-37-202 Horns and warning devices - Flashing lights on emergency vehicles

- (a) (1) (A) Every motor vehicle when operated upon a highway shall be equipped with a horn in good working order and capable of emitting sound audible under normal conditions from a distance of not less than two hundred feet (200').
(B) No horn or other warning device shall emit an unreasonably loud or harsh sound or a whistle.
- (2) The driver of a motor vehicle shall, when reasonably necessary to ensure safe operation, give audible warning with his horn but shall not otherwise use the horn when upon a highway.
- (b) (1) No vehicle shall be equipped with, nor shall any person use upon a vehicle, any siren, whistle, or bell, except as otherwise permitted in this section
(2) It is permissible, but not required, that commercial vehicles may be equipped with a theft alarm signal device which is so arranged that it cannot be used by the driver as an ordinary warning signal.
(3) (A) Every authorized emergency vehicle shall be equipped with a siren, whistle, or bell capable of emitting sound audible under normal conditions from a distance of not less than five hundred feet (500') and of a type approved by the department.

- (B) The warning device shall not be used except when the vehicle is operated in response to an emergency call or in the immediate pursuit of an actual or suspected violator of the law; in which event, the driver of the vehicle shall sound the warning device when necessary to warn pedestrians and other drivers of the approach thereof.
- (c) (1) Every authorized emergency vehicle shall be equipped with signal lamps in addition to any other equipment and distinctive markings required by this subchapter. These lamps shall be mounted as high and be as widely spaced laterally as practicable. The vehicle shall be capable of displaying to the front two (2) alternately flashing red lights located at the same level and to the rear two (2) alternately flashing red lights located at the same level.
- (2) These lights shall have sufficient intensity to be visible at five hundred feet (500') in normal sunlight.
- (d) A police vehicle, when used as an authorized emergency vehicle, may, but need not, be equipped with alternately flashing red lights specified in this section.
- (e) The use of the signal equipment described in this section shall impose upon drivers of other vehicles the obligation to yield right-of-way and to stop as prescribed in § 27-51-901

27-37-204 Lamp or flag on projecting load

- (a) Whenever the load upon any vehicle extends to the rear four feet (4') or more beyond the bed or body of such vehicle, there shall be displayed at the extreme rear end of the load, at the times specified in § 27-36-204 a red light or lantern plainly visible from a distance of at least five hundred feet (500') to the sides and rear
- (b) The red light or lantern required under this section shall be in addition to the red rear light required upon every vehicle.
- (c) At any other time, there shall be displayed at the extreme rear end of the load a red flag or cloth not less than sixteen inches (16") square.

27-37-205 Certain vehicles to carry flares or other warning devices

- (a) No person shall operate any motor truck, passenger bus, truck tractor, or any motor vehicle towing a house trailer upon any highway outside the corporate limits of municipalities at any time from one-half (1/2) hour after sunset to one-half (1/2) hour before sunrise unless there shall be carried in the vehicle the following equipment except as provided in subsection (b) of this section:
 - (1) (A) At least three (3) flares, or three (3) red electric lanterns, or three (3) portable red emergency reflectors, each of which shall be capable of being seen and distinguished at a distance of not less than six hundred feet (600') under normal atmospheric conditions at nighttime.

- (B) (i) No flare, fuse, electric lantern, or cloth warning flag shall be used for the purpose of compliance with the requirements of this subsection unless such equipment is of a type which has been submitted to the commissioner and approved by him.
- (ii) No portable reflector unit shall be used for the purpose of compliance with the requirements of this subsection unless it is so designed and constructed as to be capable of reflecting red light clearly visible from all distances within six hundred feet (600') to one hundred feet (100') under normal atmospheric conditions at night when directly in front of lawful upper beams of head lamps and unless it is of a type which has been submitted to the commissioner and approved by him
- (2) At least three (3) red-burning fusees, unless red electric lanterns or red portable emergency reflectors are carried.
- (3) At least two (2) red cloth flags, not less than twelve inches (12") square, with standards to support such flags.
- (b) (1) At the time and under conditions stated in subsection (a) of this section, no person shall operate any motor vehicle used for the transportation of explosives, any cargo tank truck used for the transportation of flammable liquids or compressed gases, or any motor vehicle using compressed gas as a fuel unless there shall be carried in the vehicle three (3) red electric lanterns or three (3) portable red emergency reflectors meeting the requirements of subsection (a) of this section.
- (2) There shall not be carried in any such vehicle any flares, fusees, or signals produced by flame.

27-37-206 Display of warning devices when vehicle disabled

- (a) Whenever any motor truck, passenger bus, truck tractor, trailer, semitrailer, pole trailer, or any motor vehicle towing a house trailer is disabled upon the traveled portion of any highway or the shoulder thereof outside of any municipality at any time when lighted lamps are required on vehicles, the driver of the vehicle shall display the following warning devices upon the highway during the time the vehicle is so disabled on the highway, except as provided in subsection (b) of this section:
 - (1) A lighted fuse, a lighted red electric lantern, or a portable red emergency reflector shall be immediately placed at the traffic side of the vehicle in the direction of the nearest approaching traffic;
 - (2) As soon thereafter as possible, but in any event within the burning period of the fuse, which is fifteen (15) minutes, the driver shall place three (3) liquid-burning flares or pot torches, or three (3) lighted red electric lanterns, or three (3) portable red emergency reflectors on the traveled portion of the highway in the following order:

- (A) One (1), approximately one hundred feet (100') from the disabled vehicle, in the center of the lane occupied by the vehicle and toward traffic approaching in that lane;
- (B) One (1), approximately one hundred feet (100') in the opposite direction from the disabled vehicle, in the center of the traffic lane occupied by the vehicle;
- (C)
 - (i) One (1) at the traffic side of the disabled vehicle, not less than ten feet (10') rearward or forward thereof, in the direction of the nearest approaching traffic.
 - (ii) If a lighted red electric lantern or a red portable emergency reflector has been placed at the traffic side of the vehicle in accordance with subdivision (2)(A) of this subsection, it may be used for this purpose.
- (b) Whenever any vehicle referred to in this section is disabled within five hundred feet (500') of a curve, hillcrest, or other obstruction to view, the warning signal in that direction shall be so placed as to afford ample warning to other users of the highway, but in no case less than one hundred feet (100') nor more than five hundred feet (500') from the disabled vehicle.
- (c) Whenever any vehicle of a type referred to in this section is disabled upon any roadway of a divided highway during the time that lights are required, the appropriate warning devices prescribed in subsections (a) and (e) of this section shall be placed as follows:
 - (1) One (1) at a distance of approximately two hundred feet (200') from the vehicle, in the center of the lane occupied by the stopped vehicle and in the direction of traffic approaching in that lane;
 - (2) One (1) at a distance of approximately one hundred feet (100') from the vehicle, in the center of the lane occupied by the vehicle and in the direction of traffic approaching in that lane;
 - (3) One (1) at the traffic side of the vehicle and approximately ten feet (10') from the vehicle, in the direction of the nearest approaching traffic.
- (d) Whenever any vehicle of a type referred to in this section is disabled upon the traveled portion of a highway or the shoulder thereof outside of any municipality at any time when the display of fusees, flares, red electric lanterns, or portable red emergency reflectors is not required, the driver of the vehicle shall display two (2) red flags upon the roadway in the lane of traffic occupied by the disabled vehicle, one (1) at a distance of approximately one hundred feet (100') in advance of the vehicle and one (1) at a distance of approximately one hundred (100') feet to the rear of the vehicle.
- (e) Whenever any motor vehicle used in the transportation of explosives or any cargo tank truck used for the transportation of any flammable liquid or compressed flammable gas, or any motor vehicle using compressed gas as a fuel, is disabled upon a highway of this state at any time or place mentioned in subsection (a) of this section, the driver of the vehicle shall immediately display the following warning devices:
 - (1) (A) One (1) red electric lantern or portable red emergency reflector, placed on the roadway at the traffic side of the vehicle; and

- (B) Two (2) red electric lanterns or portable red reflectors, one (1) placed approximately one hundred feet (100') to the front and one (1) placed approximately one hundred feet (100') to the rear of the disabled vehicle in the center of the traffic lane occupied by the vehicle.
- (2) Flares, fusees, or signals produced by flame shall not be used as warning devices for disabled vehicles of the type mentioned in this subsection.
- (f) The flares, fusees, red electric lanterns, portable red emergency reflectors, and flags to be displayed as required in this section shall conform with the requirements of § 27-37-205.

27-37-301 Safety glass mandatory

- (a) No person shall sell any new motor vehicle nor shall any new motor vehicle be registered which is designed or used for the purpose of transporting passengers for compensation or as a school bus unless the vehicle is equipped with safety glass wherever glass is used in doors, windows, and windshields.
- (b) (1) No person shall sell any new motor vehicle unless the vehicle is equipped with safety glass wherever glass is used in the doors, windows, and windshields.
- (2) No person shall replace glass in any motor vehicle in the doors, windows, and windshields other than with safety glass.
- (c) The term "safety glass" shall mean any product composed of glass, so manufactured, fabricated, or treated as to substantially prevent shattering and flying glass when struck or broken, or other similar products as may be approved by the commission.
- (d) (1) The State Highway Commission shall compile and publish a list of types of glass by name approved by it as meeting the requirements of this section.
- (2) The commission shall not register any motor vehicle which is subject to the provisions of this section unless it is equipped with an approved type of safety glass.
- (3) They shall suspend the registration of any motor vehicle so subject to this section which they find is not so equipped until it is made to conform to the requirements of this section

27-37-302 Windshields, etc., to be unobstructed

No person shall drive any motor vehicle with any sign, poster, or other nontransparent material upon the front windshield, sidewings, side, or rear windows of the vehicle other than a certificate or other paper required to be so displayed by law if it obstructs the operator's view or the safe operation of the vehicle

27-37-303 Windshield wipers required

- (a) The windshield on every motor vehicle shall be equipped with a device for cleaning rain, snow, or other moisture from the windshield.

- (b) This device shall be so constructed as to be controlled or operated by the driver of the vehicle

27-37-304 Obstruction of interior prohibited

- (a) (1) (A) It is unlawful for any person to operate a motor vehicle which has any substance or material except rearview mirrors and decals required by law attached to the windshield at any point more than four and one-half inches (4 1/2") above the bottom of the windshield if the substance or material obstructs the operator's view or the safe operation of the vehicle.
- (B) It is unlawful for any person to operate a motor vehicle which has any substance or material attached to the window of either front door except substances or materials attached by the manufacturer if the substance or material obstructs the operator's view or the safe operation of the vehicle.
- (2) The provisions of this section shall not apply to motorists driving motor vehicles registered in other states that have enacted legislation regulating the shading of windshields or windows of motor vehicles and who are driving on Arkansas roads and highways.
- (b) Nothing in this section shall prohibit the shading or tinting of windows of newly manufactured automobiles so long as the newly manufactured automobiles comply with all federal laws pertaining thereto.
- (c) Violation of this section shall constitute a Class C misdemeanor.

27-37-305 Mirrors

- (a) Every motor vehicle shall be equipped with a rearview mirror.
- (b) Every motor vehicle which is so constructed or loaded as to obstruct the driver's view to the rear thereof from the driver's position shall be equipped with a mirror located so as to reflect to the driver a view of the highway for a distance of at least two hundred feet (200') to the rear of the vehicle.

27-37-401 Only pneumatic rubber tires permitted - Exceptions - Special permits

- (a) (1) The wheels of all motor vehicles, including trailers and semitrailers, shall be equipped with pneumatic rubber tires
- (2) Nonpneumatic or solid rubber tire mountings shall not be permitted
- (b) No person shall operate or move on any highway any motor vehicle, trailer, or semitrailer having any metal tire in contact with the roadway.
- (c) No tire on a vehicle moved on a highway shall have on its periphery any block, stud, flange, cleat, spike, or any other protuberances of any material except rubber which projects beyond the tread of the traction surface of the tire, with the following exceptions:
 - (1) It shall be permissible to use farm machinery with tires having protuberances which will not injure the highway;

- (2) It shall be permissible to use tire chains of reasonable proportions upon any vehicle when required for safety;
- (3) It shall be permissible to use metal studded tires as prescribed in §27-37-402.
- (d) The commission and local authorities, in their respective jurisdictions and at their discretion, may issue special permits authorizing the operation upon a highway of traction engines or tractors having movable tracks with transverse corrugations upon the periphery of the movable tracks or farm tractors or other farm machinery, the operation of which upon a highway would otherwise be prohibited under this subchapter.

27-37-402 Metal studded tires lawful during prescribed period

- (a) It is lawful to use metal studded tires with studs protruding not more than one-sixteenth inch ($1/16$ "") from the surface of the rubber tread on motor vehicles operated on the public highways of this state during the period from November 15 of each year until April 15 of the following year.
- (b) If the United States Congress shall enact legislation, or if any agency of the federal government shall adopt regulations prohibiting the use of metal studded tires on motor vehicles operated on the public highways, the provisions of this section authorizing the use of metal studded tires shall terminate. Thereafter, it shall be unlawful to use metal studded tires on vehicles operated on the public highways of this state at any time.
- (c)
 - (1) It is unlawful for any person to operate any motor vehicle equipped with metal studded tires upon the highways of this state at any time other than the period prescribed in subsection (a) of this section.
 - (2) Any person violating the provisions of this section shall be guilty of a misdemeanor and shall, upon conviction, be punished by a fine of not less than twenty-five dollars (\$25.00) nor more than fifty dollars (\$50.00).

27-37-501 Equipment required

- (a)
 - (1) Every motor vehicle, other than a motorcycle or motor-driven cycle, when operated upon a highway, shall be equipped with brakes adequate to control the movement of, and to stop and hold, the vehicle, including two (2) separate means of applying the brakes, each of which means shall be effective to apply the brakes to at least two (2) wheels.
 - (2) If these two (2) separate means of applying the brakes are connected in any way, they shall be constructed so that failure of any one (1) part of the operating mechanism shall not leave the motor vehicle without brakes on at least two (2) wheels.
- (b) Every motorcycle and every motor-driven cycle, when operated upon a highway, shall be equipped with at least one (1) brake, which may be operated by hand or foot.
- (c)
 - (1) Every trailer or semitrailer of a gross weight of three thousand pounds (3,000 lbs) or more when operated upon a highway shall be equipped with

brakes adequate to control the movement of, and to stop and to hold, such vehicle and so designed as to be applied by the driver of the towing motor vehicle from its cab; and

- (2) The brakes shall be so designed and connected that in case of an accidental break-away of the towed vehicle, the brakes shall be automatically applied.
- (d) (1) (A) Every new motor vehicle, trailer, or semitrailer sold in the state and operated upon the highways shall be equipped with service brakes upon all wheels of every such vehicle, except any motorcycle or motor-driven cycle; and
(B) Any semitrailer of less than one thousand five hundred pounds (1,500 lbs) gross weight need not be equipped with brakes.
- (2) Trucks and truck-tractors having three (3) or more axles need not have brakes on the front wheels, except, when the vehicles are equipped with at least two (2) steerable axles, the wheels of one (1) axle need not be equipped with brakes.
- (e) (1) Every singly driven motor vehicle and every combination of motor vehicles shall, at all times, be equipped with a parking brake or brakes adequate to hold the vehicle or combination on any grade on which it is operated, under any conditions of loading, on a surface free from ice or snow.
- (2) (A) The parking brake or brakes shall, at all times, be capable of being applied in conformance with the requirements of subdivision (e)(1) of this section by either the driver's muscular effort or by spring action or by other energy.
(B) If other energy is depended on for application of the parking brake, then an accumulation of such energy shall be isolated from any common source and used exclusively for the operation of the parking brake.
- (3) The parking brake or brakes shall be so designed, constructed, and maintained that when once applied they shall remain in the applied condition with the required effectiveness despite exhaustion of any source of energy or leakage of any kind, and so that they cannot be released unless adequate energy is available upon release of such brake or brakes to make immediate further application with the required effectiveness
- (f) The brake shoes operating within or upon the drums on the vehicle wheels of any motor vehicle may be used for both service and hand operation
- (g) All brakes shall be maintained in good working order and shall be so adjusted as to operate as equally as practicable with respect to the wheels on opposite sides of the vehicle

27-37-502 Performance ability

- (a) Every motor vehicle or combination of vehicles, at all times and under all conditions of loading, upon application of the service or foot brake, shall be capable of:

- (1) Developing a braking force that is not less than the percentage of its gross weight tabulated in this section for its classification;
- (2) Decelerating in a stop from not more than twenty (20) miles per hour at not less than the feet-per-second tabulated in this section for its classification; and
- (3) Stopping from a speed of twenty (20) miles per hour in not more than the distance tabulated in this section for its classification, the distance to be measured from the point at which movement of the service brake pedal or control begins

1 Classification of vehicles and combinations	2 Braking force as a percentage of gross vehicle or combination weight	3 Deceleration in feet per second	4 Brake system application and braking per second
Passenger vehicles, not including buses	52.8%	17	25
Single-unit vehicles with a manufacturer's gross vehicle weight rating of less than ten thousand pounds (10,000 lbs)	43.5%	14	30
Single-unit two-axle vehicles with a manufacturer's gross vehicle weight rating of ten thousand (10,000) or more pounds, and buses not having a manufacturer's gross vehicle weight rating	43.5%	14	40
All other vehicles and combinations with a manufacturer's gross vehicle weight rating of ten thousand (10,000) or more pounds	43.5%	14	50

- (b) Tests for deceleration and stopping distance shall be made on a substantially level, which is not to exceed plus or minus one percent (1%) grade, and dry, smooth, hard surface that is free from loose material

27-37-701 Definitions

As used in this subchapter:

- (1) "Motor vehicle" means any motor vehicle, except a school bus, church bus, and other public conveyance, which is required by federal law or regulation to be equipped with a passenger restraint system;
- (2) "Seat belt" means any passenger restraint system as defined by the Department of Arkansas State Police, except that, until such time as the Arkansas State Police has promulgated regulations defining "seat belt", the term means any passenger restraint system which meets the federal requirements contained in section 571.208 of Title 49 of the Code of Federal Regulations.

27-37-702 Seat belt use required - Applicability of subchapter

- (a) Each driver and front seat passenger in any motor vehicle operated on a street or highway in this state shall wear a properly adjusted and fastened seat belt.
- (b) This subchapter shall not apply to the following:
 - (1) Passenger automobiles manufactured before July 1, 1968, and all other motor vehicles manufactured before January 1, 1972;
 - (2) Passengers and drivers with a physical disability which contraindicates the use of a seat belt, and which condition is certified by a physician who states the nature of the disability, as well as the reason the use of a seat belt is inappropriate;
 - (3) Children under five (5) years of age who require protection under the Child Passenger Protection Act, § 27-34-101 et seq.; and
 - (4) Drivers who are rural letter carriers of the United States Postal Service while performing their duties as rural letter carriers.

27-37-703 Effect of noncompliance

- (a)
 - (1) The failure of an occupant to wear a properly adjusted and fastened seat belt shall not be admissible into evidence in a civil action.
 - (2) Provided, that evidence of such failure may be admitted in a civil action as to the causal relationship between noncompliance and the injuries alleged, if the following conditions have been satisfied:
 - (A) The plaintiff has filed a products liability claim other than a claim related to an alleged failure of a seat belt;
 - (B) The defendant alleging noncompliance with this subchapter shall raise this defense in its answer or timely amendment thereto in accordance with the rules of civil procedure; and
 - (C) Each defendant seeking to offer evidence alleging noncompliance has the burden of proving:
 - (i) Noncompliance;
 - (ii) That compliance would have reduced injuries; and
 - (iii) The extent of the reduction of such injuries.
- (b)
 - (1) Upon request of any party, the trial judge shall hold a hearing out of the presence of the jury as to the admissibility of such evidence in accordance with the provisions of this section and the rules of evidence.
 - (2) The finding of the trial judge shall not constitute a finding of fact, and the finding shall be limited to the issue of admissibility of such evidence.

27-49-101 Title

This act may be cited as the "Uniform Act Regulating Traffic on Highways of Arkansas".

27-49-102 Applicability to operation on highways - Exceptions

The provisions of this subtitle relating to the operation of vehicles refer exclusively to the operation of vehicles upon highways except:

- (1) Where a different place is specifically referred to in a given section.
- (2) The provisions of §§ 27-50-307, 27-50-308, 27-53-101 - 27-53-105 and 27-53-201 - 27-53-208 shall apply upon highways and elsewhere throughout the state.
- (3) Where the owner of a private roadway within a planned community in Arkansas grants express permission for the state and local law enforcement authorities to enter on and to enforce the provisions of this subtitle and other traffic laws of the state or local authorities on those private roadways in the planned community.

27-49-106 Powers of local authorities

- (a)
 - (1) No local authority shall enact or enforce any rule or regulation in conflict with the provisions of this subtitle unless expressly authorized in this subtitle.
 - (2) Local authorities may, however, adopt additional traffic regulations which are not in conflict with the provisions of this subtitle.
 - (3) Local authorities may enact and enforce traffic rules and regulations which are not in conflict with the provisions of this subtitle for private roadways but only after being granted express permission by the owner of the private roadway within the planned community.
- (b) The provisions of this subtitle shall not be deemed to prevent local authorities with respect to streets and highways under their jurisdiction and within the reasonable exercise of the police power from:
 - (1) Regulating the standing or parking of vehicles, including the ability to establish districts for the purpose of limiting the time, place, and manner of public parking in designated areas;
 - (2) Regulating traffic by means of police officers or traffic control signals;
 - (3) Regulating or prohibiting processions or assemblages on the highways;
 - (4) Designating particular highways as one-way highways and requiring that all vehicles thereon be moved in one specific direction;
 - (5) Regulating the speed of vehicles in public parks;
 - (6) Designating any highway as a through highway and requiring that all vehicles stop before entering or crossing it or designating any intersection as a stop intersection and requiring all vehicles to stop at one (1) or more entrances to the intersection;
 - (7) Restricting the use of highways as authorized in §§ 27-35-101 - 27-35-111 and
 - (8) Regulating or prohibiting the traffic from and use of mopeds, three-wheeled vehicles, and other similar vehicles.
- (c) No ordinance or regulation enacted under subdivision (b)(1), (4), (5), (6), or (7) of this section shall be effective until signs giving notice of local traffic regulations

are posted upon or at the entrances to the highways or parts affected, as may be most appropriate.

- (d) No provision of this subtitle, of other state traffic laws, or of any local traffic ordinance or regulation enacted under authority of subdivision (a)(3) of this section shall be effective on a private roadway of a planned community until signs giving notice of the owner's grant of permission to enforce those state and local traffic regulations are posted upon or at the entrances to the planned community's private roadways or affected parts thereof.

27-49-201 Definitions generally

As used in this act, the following words and phrases shall have the meanings respectively ascribed to them in this subchapter, unless the context otherwise requires.

27-49-214 Tires

- (a) "Pneumatic tire" means every tire in which compressed air is designed to support the load.
- (b) "Solid tire" means tire of rubber or other resilient material which does not depend upon compressed air for the support of the load.
- (c) "Metal tire" means every tire the surface of which in contact with the highway is wholly or partly of metal or other hard nonresilient material.

27-49-215 Tractors

- (a) "Truck tractor" means every motor vehicle designed and used primarily for drawing other vehicles and not constructed to carry a load other than a part of the weight of the vehicle and load so drawn.
- (b) "Farm tractor" means every motor vehicle designed and used primarily as a farm implement for drawing plows, mowing machines, and other implements of husbandry.
- (c) "Road tractor" means every motor vehicle designed and used for drawing other vehicles and not constructed to carry any load thereon either independently or any part of the weight of a vehicle or load so drawn.

27-49-218 Trailers

- (a) "Trailer" means every vehicle with or without motive power, other than a pole trailer, designed for carrying persons or property and for being drawn by a motor vehicle and so constructed that no part of its weight rests upon the towing vehicle.
- (b) "Semitrailer" means every vehicle with or without motive power, other than a pole trailer, designed for carrying persons or property and for being drawn by a motor vehicle and so constructed that some part of its weight and that of its load rests upon or is carried by another vehicle.

27-49-219 Vehicles

- (a) "Vehicle" means every device in, upon, or by which any person or property is or may be transported or drawn upon a highway, except devices moved by human power or used exclusively upon stationary rails or tracks.
- (b) "Motor vehicles" means every vehicle which is self-propelled and every vehicle which is propelled by electric power obtained from overhead trolley wires but not operated upon rails.
- (c) "Motorcycle" means every motor vehicle having a saddle for the use of the rider and designed to travel on not more than three (3) wheels in contact with the ground but excluding a tractor.
- (d) (1) "Authorized emergency vehicle" means authorized emergency vehicles which shall include:
 - (A) Motor vehicles used by state, county, or city and municipal police agencies, all of which shall be equipped with:
 - (i) Blue; or
 - (ii) Blue, red, or white rotating or flashing emergency lights;
 - (B) Motor vehicles used by state, county, city, or municipal fire departments, motor vehicles owned and used by volunteer fire fighters while engaged in official duties, motor vehicles used by emergency medical technicians certified by the Department of Health or privately owned fire departments, and ambulances used solely for ambulance purposes which are approved as ambulances in accordance with state and federal highway safety standards, all of which shall be equipped with red rotating or flashing emergency lights. Flashing emergency lights shall be used by volunteer fire fighters solely while engaged in the performance of duties as volunteer fire fighters and by emergency medical technicians solely while engaged in the performance of duties with an ambulance service licensed by the Department of Health or an organized rescue squad or team; and
 - (C) Motor vehicles owned by state, county, and municipal agencies whose use is determined by the state agency to be required for dangerous or hazardous services and motor vehicles owned by public service corporations or private individuals whose use is determined by the Commissioner of Motor Vehicles, in accordance with regulations established by the commissioner to prevent abuses thereof, to be for extra hazardous service, may be equipped with amber flashing or rotating emergency or warning lights which shall not qualify them as emergency vehicles, but which shall, during hazardous uses thereof, display their amber flashing or rotating emergency or warning lights in order that other motorists and the public may be aware of the special or hazardous use of the vehicles and shall exercise caution in approaching the vehicles at all times while the amber flashing or rotating emergency or warning lights

are in operation. All hazardous service vehicles shall conform to regular traffic signals and speed limits during their operation.

- (2) It shall be unlawful to install, operate, or use any rotating or flashing light on any motor vehicle except as authorized in this subsection.
- (e) "School bus" means every motor vehicle owned by a public or governmental agency and operated for the transportation of children to or from school or privately owned and operated for compensation for the transportation of children to or from school.

27-50-101 Operation of vehicles contrary to law prohibited

It is unlawful for the owner, or any other person, employing or otherwise directing the driver of any vehicle, to require or knowingly to permit the operation of the vehicle upon a highway in any manner contrary to law.

27-50-311 Penalties for large trucks exceeding speed limits

- (a) The General Assembly has determined that the operation of trucks as defined in subsection (b) of this section at high speeds creates a unique threat to the public safety of Arkansas motorists and causes substantial damage to Arkansas highways. Through enacting this section, it is the intent of the General Assembly to deter such unsafe and damaging driving practices by providing severe penalties against those persons who are determined to be guilty of violating this section.
- (b) For purposes of this section, the term "truck" means any vehicle with a registered gross weight of at least twenty thousand pounds (20,000 lbs.).
- (c) When the operator of any truck as defined in subsection (b) of this section pleads guilty or nolo contendere to or is found guilty of operating such vehicle at a speed in excess of five (5) miles per hour over the posted or legal speed limit, the operator shall be fined fifty dollars (\$50.00) for each mile per hour in excess of five (5) miles per hour over the posted or legal speed limit.
- (d) The fine provided for in this section is in addition to all other fines and court costs levied for the violation.
- (e)
 - (1) The courts levying and collecting the fines prescribed by this section may retain two percent (2%) of the fines as a collection fee.
 - (2) After deducting the collection fee provided in subdivision (e)(1) of this section, the court shall remit to the Treasurer of State as general revenues the balance of the fines levied and collected under this section.

27-51-104 Careless and prohibited driving

- (a) It shall be unlawful for any person to drive or operate any vehicle in such a careless manner as to evidence a failure to keep a proper lookout for other traffic, vehicular or otherwise, or in such a manner as to evidence a failure to maintain proper control on the public thoroughfares or private property in the State of Arkansas.

- (b) It shall be unlawful for any person to operate or drive any vehicle on the public thoroughfares or private property in the State of Arkansas in violation of the following prohibited acts:
- (1) Improper or unsafe lane changes on public roadways;
 - (2) Driving onto or across private property to avoid intersections, stop signs, traffic control devices, or traffic lights;
 - (3) Driving in such a manner, or at such a speed, so as to cause a skidding, spinning, or sliding of tires or a sliding of the vehicle;
 - (4) Driving too close to, or colliding with, parked or stopped vehicles, fixtures, persons, or objects adjacent to the public thoroughfares;
 - (5) Driving a vehicle which has any part thereof, or any object, extended in such fashion as to endanger persons or property;
 - (6) To operate any vehicle in such a manner which would cause a failure to maintain control;
 - (7) To operate or drive a vehicle wherein or whereon passengers are located in such a manner as to be dangerous to the welfare of such passengers; or
 - (8) To operate a vehicle in any manner, when the driver is inattentive, and such inattention is not reasonable and prudent in maintaining vehicular control.
- (c) A person who violates this section shall be subject to a fine not to exceed one hundred dollars (\$100).

27-51-201 Limitations generally

- (a) (1) No person shall drive a vehicle on a highway at a speed greater than is reasonable and prudent under the conditions and having regard to the actual and potential hazards then existing.
- (2) In every event, speed shall be so controlled as may be necessary to avoid colliding with any person, vehicle, or other conveyance on or entering the highway in compliance with legal requirements and the duty of all persons to use due care.
- (b) (1) The maximum speed limits set forth in subsection (c) of this section shall not apply to controlled-access highways.
- (2) (A) Upon an engineering and traffic investigation, the State Highway Commission shall determine the maximum permissible speeds on controlled-access highways which shall be effective when appropriate signs giving notice are erected along the highway.
- (B) The commission shall fix the maximum permissible speed of trucks with one and one-half (1 1/2) ton capacity or more at ten (10) miles per hour below the maximum permissible speed for automobiles.
- (c) On all facilities other than controlled-access highways, except when a special hazard exists that requires lower speed for compliance with subsection (a) of this section, the limits specified in this section or established as authorized shall be maximum lawful speeds, and no person shall drive a vehicle on a highway at a speed in excess of the following limits:

- (1) Thirty (30) miles per hour in any urban district;
 - (2) Fifty (50) miles per hour for trucks of one and one-half (1 1/2) ton capacity or more in other locations; and
 - (3) Sixty (60) miles per hour for other vehicles in other locations;
 - (4) No vehicle which is over width, over length, or over height or the gross load of which is in excess of sixty-four thousand pounds (64,000 lbs), excluding the front axle, even if operated under a special permit, shall be operated in excess of thirty (30) miles per hour.
- (d) Consistent with the requirements of subsection (a) of this section, the driver of every vehicle shall drive at an appropriate reduced speed when approaching and crossing an intersection or railway grade crossing, when approaching and going around a curve, when approaching the crest of a hill, when traveling upon any narrow or winding roadway, and when special hazard exists with respect to pedestrians or other traffic or by reason of weather or highway conditions.
 - (e) In every charge of violation of this section, the complaint and the summons or notice to appear shall specify the speed at which the defendant is alleged to have driven and the prima facie speed applicable within the district or location.
 - (f) No person shall operate any motor-driven cycle at any time mentioned in § 27-36-201(a) at a speed greater than thirty-five (35) miles per hour unless such motor-driven cycle is equipped with a headlamp or headlamps which are adequate to reveal a person or vehicle at a distance of three hundred feet (300') ahead.
 - (g) The provisions of this section shall not be construed to relieve the plaintiff in any civil action from the burden of proving negligence upon the part of the defendant as the proximate cause of the accident.

27-51-203 Authority to establish limits

- (a) The determination and establishment of safe maximum and minimum travel speeds for all motor vehicles using the facilities of the state highway system shall be vested in the State Highway Commission, whose power, responsibility, and duty it shall be to implement and maintain this control with all reasonable care and prudence.
- (b) To this end, this section and §§ 27-51-204 - 27-51-207 shall be made supplemental to § 27-65-107.

27-51-204 Maximum and minimum speed limits - Exceptions

- (a)
 - (1) The State Highway Commission shall determine, based upon studies of the engineering and traffic characteristics thereof, the maximum and minimum desirable speeds for all traffic facilities in the state highway system.
 - (2) These regulatory speeds shall be effective when appropriate signs giving notice thereof are erected.
- (b)
 - (1) The maximum and minimum speed limits posted shall apply to all vehicles using the facility except authorized emergency vehicles on emergency trips, such as police vehicles on duty, fire vehicles on calls,

and ambulances; oversize/overweight vehicles moving under special permit issued by the Arkansas State Highway and Transportation Department or its lawfully delegated agents; and other specific vehicles for which special limits may be posted in particular situations or under particular conditions.

- (2) This exemption shall not relieve any driver of an authorized emergency vehicle from his lawful responsibility to drive with due regard for the safety of all persons upon or using the highway facility, nor shall it protect the operator of any such vehicle from the consequence of a reckless disregard for the safety of others.

27-51-205 Right of local authorities to enforce limits

- (a) No local authority shall alter, amend, annul, or abrogate any posted speed regulation on any facility of the state highway system, but may, in regard to facilities traversing their respective jurisdictions, petition the State Highway Commission in a hearing to present argument on such potential action.
- (b) This section is supplemental to existing law and shall in no way derogate the duty of local courts, local peace officers, and the Department of Arkansas State Police to enforce posted traffic and speed regulations within their jurisdictions.

27-51-206 Local authorities may alter prima facie speed limits

- (a) Whenever local authorities within their respective jurisdictions determine upon the basis of an engineering and traffic investigation that the prima facie speed permitted under this subchapter at any intersection is greater than is reasonable or safe under the conditions found to exist at the intersection, then the local authority shall determine and declare a reasonable and safe prima facie speed limit, which shall be effective when appropriate signs giving notice are erected at such intersection or upon the approaches thereto if approved by the State Highway Commission
- (b) Local authorities in their respective jurisdictions may, in their discretion, authorize by ordinance higher prima facie speeds than those stated in § 27-51-201 upon through highways or upon highways or portions thereof where there are no intersections or between widely spaced intersections, if signs are erected giving notice of the authorized speed, but local authorities shall not have authority to modify or alter the basic rule set forth in § 27-51-201(a) or in any event to authorize by ordinance a speed in excess of forty-five (45) miles per hour.

27-51-208 Minimum speed regulation

- (a) No person shall drive a motor vehicle at such a slow speed as to impede the normal and reasonable movement of traffic except when reduced speed is necessary for safe operation or in compliance with the law.
- (b) Whenever the State Highway Commission or local authorities, within their respective jurisdictions, on the basis of an engineering and traffic investigation,

determine that slow speeds on any part of a highway consistently impede the normal and reasonable movement of traffic, the commission or the local authority may determine and declare a minimum speed limit below which no person shall drive a vehicle except when necessary for safe operation or in compliance with the law.

27-51-209 Driving over bridges or other elevated structures

- (a) No person shall drive a vehicle over any bridge or other elevated structure constituting a part of a highway at a speed which is greater than the maximum speed which can be maintained with safety to the bridge or structure when the structure is signposted as provided in this section.
- (b) Upon request from any local authority, the State Highway Commission shall, or upon its own initiative may, conduct an investigation of any bridge or other elevated structure constituting a part of a highway. If it shall find that the structure cannot, with safety to itself, withstand vehicles traveling at the speed otherwise permissible under this subchapter, the commission shall determine and declare the maximum speed of vehicles which the structure can safely withstand and shall cause or permit suitable signs stating the maximum speed to be erected and maintained at a distance of one hundred feet (100') before each end of the structure.
- (c) Upon the trial of any person charged with a violation of this section, proof of the determination of the maximum speed by the commission and the existence of the signs shall constitute conclusive evidence of the maximum speed which can be maintained with safety to the bridge or structure.

27-51-211 Use of nonpneumatic tires

No person shall drive any vehicle equipped with solid rubber or cushion tires at a speed greater than a maximum of ten (10) miles per hour.

27-51-212 Speed limit near schools - Exceptions

- (a) No person shall operate a motor vehicle in excess of twenty-five (25) miles per hour when passing a school building or school zone during school hours when children are present and outside the building.
- (b) This speed limit shall not be applicable upon the freeways and interstate highways of this state or to school zones adequately protected by a steel fence limiting access to and egress from safety crossings.

27-51-213 Erection and maintenance of required signs in school zones

- (a) (1) A school zone shall include a distance of three hundred feet (300') on either side of a school building or school grounds and shall be posted with appropriate signs showing: "SCHOOL - 25 M.P.H. WHEN CHILDREN ARE PRESENT".

- (2) At an appropriate distance before reaching this sign, a school advance sign shall be erected.
- (3) A third sign at the end of the school zone shall designate the speed limit the motor vehicle may resume.
- (b) (1) (A) It shall be the duty of the Arkansas State Highway and Transportation Department, county road department, city street department, or any other agency having the responsibility of maintaining the streets or roadways to erect the signs required by subsection (a) of this section unless a special traffic engineering study for a specific school zone produces other recommendations for that school zone.
- (B) The maximum speed limit shall not be increased above the limitation provided in subsection (a) of this section.
- (2) Signs shall be maintained and replaced using the same criteria that is used to maintain and replace "STOP" signs and other warning signs
- (3) All signs and signing locations will be in accordance with the regulations contained in the current Manual on Uniform Traffic Control Devices.

27-51-1301 Restrictions on stopping, standing or parking generally

- (a) Except as otherwise provided in this section, every vehicle stopped or parked upon a roadway where there are adjacent curbs shall be stopped or parked with the right-hand wheels of the vehicle parallel to and within eighteen inches (18") of the right-hand curb.
- (b) Local authorities may, by ordinance, permit parking of vehicles with the left-hand wheels adjacent to and within eighteen inches (18") of the left-hand curb of a one-way roadway.
- (c) Local authorities may by ordinance permit angle parking on any roadway, except that angle parking shall not be permitted on any federal-aid or state highway unless the State Highway Commission has determined by resolution or order entered in its minutes that the roadway is of sufficient width to permit angle parking without interfering with the free movement of traffic.
- (d) (1) The commission, with respect to highways under its jurisdiction, may place signs prohibiting or restricting the stopping, standing, or parking of vehicles on any highway where in its opinion, as evidenced by resolution or order entered in its minutes, stopping, standing, or parking is dangerous to those using the highway or where the stopping, standing, or parking of vehicles would unduly interfere with the free movement of traffic thereon.
- (2) Signs shall be official signs, and no person shall stop, stand, or park any vehicle in violation of the restrictions stated on the signs.

27-51-1302 Stopping, standing, or parking prohibited in specified places

- (a) No person shall stop, stand, or park a vehicle, except when necessary to avoid conflict with other traffic or in compliance with the directions of a police officer or traffic-control device, in any of the following places:

- (1) On a sidewalk;
 - (2) In front of a public or private driveway
 - (3) Within an intersection
 - (4) Within fifteen feet (15') of a fire hydrant
 - (5) On a crosswalk;
 - (6) Within twenty feet (20') of a crosswalk at an intersection
 - (7) Within thirty feet (30') upon the approach to any flashing beacon, stop sign, or traffic-control signal located at the side of a roadway;
 - (8) Between a safety zone and the adjacent curb or within thirty feet (30') of points on the curb immediately opposite the ends of a safety zone, unless the local traffic authority indicates a different length by signs or markings;
 - (9) Within fifty feet (50') of the nearest rail of a railroad crossing;
 - (10) Within twenty feet (20') of the driveway entrance to any fire station and on the side of a street opposite the entrance to any fire station within seventy-five feet (75') of the entrance when properly signposted;
 - (11) Alongside or opposite any street excavation or obstruction when stopping, standing, or parking would obstruct traffic
 - (12) On a roadway side of any vehicle stopped or parked at the edge of a curb or street;
 - (13) Upon any bridge or other elevated structure upon a highway or within a highway tunnel
 - (14) At any place where official signs prohibit stopping.
- (b) No person shall move a vehicle not owned by the person into any such prohibited area or away from a curb a distance that is unlawful

27-51-1405 Throwing destructive or injurious materials on highway prohibited

- (a) No person shall throw or deposit upon any highway any glass bottle, glass, nails, tacks, wire, cans, or any other substance likely to injure any person, animal, or vehicle upon the highway.
- (b) Any person who drops, or permits to be dropped or thrown, upon any highway any destructive or injurious material shall immediately remove it or cause it to be removed.
- (c) Any person removing a wrecked or damaged vehicle from a public highway, as defined by § 27-51-101 shall remove any glass or other injurious substance dropped upon the public highway from the vehicle

27-86-211 Toll rates on privately owned bridges in state highway system

- (a) The State Highway Commission is empowered to fix and enforce the schedule or rate of tolls to be collected on any privately owned toll bridge located on any road embraced in the state highway system.
- (b) In fixing schedules or rates, regard shall be had to the interests of the owner and the public, so that the owner shall be allowed to collect such rates as shall afford him a fair return on the value of his property, and the public shall not be required to pay more than is required to net such return.

- (c) As the state is spending millions of dollars in building roads, not only to serve its own citizens, but to induce tourists to visit the state, and as a certain percent of tourists will buy land and become citizens, the state should protect the interests of the public against those who operate toll bridges that injure the state as a whole by charging tolls to pay interest and dividends on watered bonds and stock. One of the purposes of this section is to grant protection to the state and the public.
- (d) All suits involving the validity of this section or any portion thereof shall be deemed matters of public interest and shall be advanced and disposed of at the earliest possible moment. Appeals in these suits must be taken and perfected within thirty (30) days from the date of the judgment or decree.

27-86-301 Records

- (a) It shall be the duty of every person, firm, or corporation owning or operating any toll bridge within, or partially within, the State of Arkansas, to make, maintain, and preserve a record of every bale of cotton or part of a bale of cotton, whether seed cotton or lint cotton, which shall cross the toll bridge.
- (b) The record shall contain the following data:
 - (1) The date, together with the hour of day, the cotton passed over the toll bridge;
 - (2) The destination of the cotton as declared by the person transporting the cotton across said bridge;
 - (3) The name of the persons transporting the cotton across the bridge together with the name and address of the persons for whom the cotton is being so transported;
 - (4) A general description of the vehicle in which the cotton is being transported, that is, whether by motor vehicle or otherwise. If transported by motor vehicle, the record shall show the state license number and the city license number, if any, of the motor vehicle;
 - (5) The approximate amount of cotton transported in terms of bales or parts of bales as nearly as can be determined without weighing;
 - (6) The point of origin of the cotton; that is, if the cotton is in bales, the name and location of the gin where the cotton was ginned; and, if seed cotton, the approximate location of the farm on which the cotton was produced. This information shall be supplied by the persons so transporting the cotton;
 - (7) The name and address of every person, firm, or corporation having any interest in the cotton either by ownership or lien so far as known to the person or persons transporting the cotton.
- (c) The records made and maintained pursuant to this subchapter shall be open to inspection by any person at all reasonable times at the place of business maintained by the owner or operator within the State of Arkansas.