

1 State of Arkansas  
2 93rd General Assembly  
3 Regular Session, 2021  
4

# A Bill

HOUSE BILL 1022

5 By: Representative C. Fite  
6 By: Senator L. Eads  
7

## For An Act To Be Entitled

9 AN ACT TO AMEND THE LAW CONCERNING WHEN LIGHTED LAMPS  
10 ARE REQUIRED ON CERTAIN TYPES OF VEHICLES AND  
11 VESSELS; AND FOR OTHER PURPOSES.  
12  
13

## Subtitle

15 TO AMEND THE LAW CONCERNING WHEN LIGHTED  
16 LAMPS ARE REQUIRED ON CERTAIN TYPES OF  
17 VEHICLES AND VESSELS.  
18  
19

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

22 SECTION 1. Arkansas Code § 22-4-113(c), concerning the use of certain  
23 vehicles by a person who has a disability document and a valid driver's  
24 license, is amended to read as follows:

25 (c) An all-terrain vehicle or golf cart that is operated between the  
26 time from one-half ( $\frac{1}{2}$ ) hour after sunset and one-half ( $\frac{1}{2}$ ) hour before to  
27 sunrise or any other time when there is insufficient light to render clearly  
28 discernible persons at a distance of five hundred feet (500') shall have  
29 proper lights on the all-terrain vehicle or golf cart.  
30

31 SECTION 2. Arkansas Code § 27-21-106(a)(2)(B), concerning the unlawful  
32 operation of an all-terrain vehicle on a public street or highway, is amended  
33 to read as follows:

34 (B)(i) An all-terrain vehicle may cross a divided highway  
35 only at an intersection of the highway with another public street or highway.

36 (ii) In crossings made between the hours time from



1 ~~one-half (1/2) hour after sunset to one-half (1/2) hour before sunrise or in~~  
2 ~~conditions of reduced visibility, the crossing may be made only with both~~  
3 ~~front and rear lights turned on;~~  
4

5 SECTION 3. Arkansas Code § 27-21-107(b)(2), concerning the operation  
6 of an all-terrain vehicle by a minor, is amended to read as follows:

7 (2) During Between the hours time from ~~one-half (1/2) hour after~~  
8 ~~sunset to one-half (1/2) hour before sunrise~~ without displaying a lighted  
9 headlight and a lighted taillight.

10  
11 SECTION 4. Arkansas Code §27-36-204(a)(1), concerning times when  
12 lighted lamps are required, is amended to read as follows:

13 (a)(1) Every vehicle, except motorcycles and motor-driven cycles, upon  
14 a highway within this state ~~at any between the~~ time from ~~one-half (1/2) hour~~  
15 ~~after sunset to one-half (1/2) hour before sunrise~~ and at any other time when  
16 there is not sufficient light to render clearly discernible persons and  
17 vehicles on the highway at a distance of five hundred feet (500') ahead shall  
18 display lighted lamps and illuminating devices as respectively required for  
19 different classes of vehicles, subject to exceptions with respect to parked  
20 vehicles as stated.

21  
22 SECTION 5. Arkansas Code § 27-37-205(a), concerning vehicles required  
23 to carry flares or other warning devices, is amended to read as follows:

24 (a) No person shall operate any motor truck, passenger bus, truck  
25 tractor, or any motor vehicle towing a house trailer upon any highway outside  
26 the corporate limits of municipalities ~~at any between the~~ time from ~~one-half~~  
27 ~~(1/2) hour after sunset to one-half (1/2) hour before sunrise~~ unless there shall  
28 be carried in the vehicle the following equipment except as provided in  
29 subsection (b) of this section:

30 (1)(A) At least three (3) flares, three (3) red electric  
31 lanterns, or three (3) portable red emergency reflectors, each of which shall  
32 be capable of being seen and distinguished at a distance of not less than six  
33 hundred feet (600') under normal atmospheric conditions at nighttime;.

34 (B)(i) No flare, fuse, electric lantern, or cloth warning  
35 flag shall be used for the purpose of compliance with the requirements of  
36 this subsection unless the equipment is of a type ~~which~~ that has been

1 submitted to the commissioner Secretary of the Department of Finance and  
2 Administration and approved by him or her; and.

3 (ii) No portable reflector unit shall be used for  
4 the purpose of compliance with the requirements of this subsection unless it  
5 is so designed and constructed as to be capable of reflecting red light  
6 clearly visible from all distances within six hundred feet (600') to one  
7 hundred feet (100') under normal atmospheric conditions at night when  
8 directly in front of lawful upper beams of headlamps and unless it is of a  
9 type which that has been submitted to the commissioner secretary and approved  
10 by him or her;

11 (2) At least three (3) red-burning fusees, unless red electric  
12 lanterns or red portable emergency reflectors are carried; and

13 (3) At least two (2) red cloth flags, not less than twelve  
14 inches (12") square, with standards to support the flags.

15  
16 SECTION 6. Arkansas Code § 27-101-202(6), concerning restrictions on  
17 operating a motorboat or vessel, is amended to read as follows:

18 (6) Shall operate a vessel on any waters of this state towing a  
19 person on water skis, or an aquaplane or similar device, nor shall any person  
20 engage in water skiing, aquaplaning, or similar activity at any time between  
21 the hours time from one-half ( $\frac{1}{2}$ ) hour after sunset to one-half ( $\frac{1}{2}$ ) hour  
22 before sunrise. However, the provisions of this subdivision (6) do not apply  
23 to night water skiing or aquaplaning on controlled areas designated for those  
24 purposes where adequate lighting is provided;