

1 State of Arkansas As Engrossed: S2/8/21 H4/21/21

2 93rd General Assembly

# A Bill

3 Regular Session, 2021

SENATE BILL 247

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5 By: Senator B. Johnson

6 By: Representative Holcomb

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## For An Act To Be Entitled

9 AN ACT TO AMEND THE LAW CONCERNING THE PENALTIES FOR  
10 A VIOLATION OF THE OFFENSE OF RACING A VEHICLE ON A  
11 PUBLIC HIGHWAY; AND FOR OTHER PURPOSES.

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## Subtitle

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TO AMEND THE LAW CONCERNING THE PENALTIES  
16 FOR A VIOLATION OF THE OFFENSE OF RACING  
17 A VEHICLE ON A PUBLIC HIGHWAY.

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

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22 *SECTION 1. Arkansas Code § 27-50-302(a)(1), concerning the*  
23 *classification of an offense of certain traffic violations, is amended to*  
24 *read as follows:*

25 *(1) ~~Racing~~ Except as provided in § 27-50-309(b)(2), the first*  
26 *offense of racing on a public highway – Class A misdemeanor;*

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28 *SECTION 2. Arkansas Code § 27-50-309(b) and (c), concerning the*  
29 *offense of racing on a public highway, are amended to read as follows:*

30 *(b)(1) A person commits the crime of racing on a public highway*  
31 *if he or she knowingly:*

32 *(A) Commits a violation of § 27-50-302(a)(1)-(9) and*  
33 *operates a motor vehicle in a race or drag race on a public highway; or*

34 *(B) Participates in, promotes, solicits, or collects*  
35 *moneys at any location for any race or drag race on a public highway; ~~or~~*

36 *~~(C) Rides as a passenger in or on a motor vehicle in any~~*



1 ~~race or drag race on a public highway.~~

2 (2)(A) Racing A first offense of the crime of racing on a public  
3 highway is a Class A misdemeanor.

4 (B) A subsequent offense of the crime of racing on a  
5 public highway, committed within five (5) years of a prior offense:

6 (i) Is a Class A misdemeanor; and

7 (ii) Shall result upon conviction in the suspension  
8 of the person's driver's license for a period of six (6) months.

9 (c)(1) A person commits the crime of felony racing on a public highway  
10 if he or she violates subdivision (b)(1) of this section and:

11 (A) Commission of the violation serves to impede or stop  
12 the flow of traffic traveling on the public highway in the same or opposite  
13 direction; or

14 (B) Is part of a gathering of ten (10) or more individuals  
15 engaging in the same or similar behavior.

16 (2) Felony racing on a public highway is a Class D felony.

17 ~~(e)(1)(d)(1)~~ A person commits the crime of observing a drag race as a  
18 spectator on a public highway if he or she with the purpose to observe a drag  
19 race on a public highway:

20 (A) Is knowingly present at and purposely observes the  
21 drag race or the preparation for the drag race; and

22 (B) Purposely demonstrates through active encouragement,  
23 assistance, facilitation, urging, or a request that the drag race commence.

24 (2) Observing a drag race is a Class B misdemeanor.

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26 /s/B. Johnson

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29 **APPROVED: 4/30/21**