

ARKANSAS REGISTER

Transmittal Sheet



Sharon Priest
Secretary of State
State Capitol Rm. 026
Little Rock, Arkansas 72201-1094

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Name of Agency Arkansas State Police

Department Special Services Section

Contact Person Captain Bill Young/Cpl. Wes Adams

Statutory Authority for Promulgating Rules Act 1281 of 1997, Section 3

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<input type="checkbox"/> Other	Reviewed by Legislative Council <u>8-6-98</u>
	Adopted by State Agency <u>9-1-98</u>

CERTIFICATION OF AUTHORIZED OFFICER

I Hereby Certify That The Attached Rules Were Adopted
In Compliance with Act 434 of 1967 As Amended.

William L. Young
Signature

501-618-8600
Phone Number

Captain
Title

August 31, 1998
Date

FILED
AR. REGISTER DIV.
98 SEP - 1 AM 11:58
STATE OF ARKANSAS

PURCHASE OF BLUE LIGHT/LENS
~~SALE & PURCHASE OF OFFICIAL LAW ENFORCEMENT INSIGNIA~~

ARKANSAS STATE POLICE
REGULATION 1998-1

SECTION 1: PURPOSE

It shall be unlawful to sell or transfer a blue light or blue lens cap to any person other than a law enforcement officer or a county coroner.

It shall be unlawful to buy or sell official law enforcement insignia to any person other than a law enforcement officer.

This regulation is hereby promulgated in compliance with Arkansas Code Annotated 25-15-201 et seq. And under the authority of Acts 497 and 1281 of 1997 as codified in Arkansas Code Annotated 5-77-201 et seq.

SECTION 2: DEFINITIONS

As used in this regulation the following definitions apply:

- (A) "Law Enforcement Officer" shall mean a person who has met the standards and qualifications as established by the Arkansas Commission of Law Enforcement Standards and Training and is currently employed as a law enforcement officer by a municipal, county, state or federal law enforcement agency or who is so constitutionally authorized.
- (B) "Sheriff" shall mean a person duly elected or appointed to the office of Sheriff, during the term of office of said person.
- (C) "Constable" shall mean a person duly elected or appointed to the office of Constable, during the term of office of said person.
- (D) "County Coroner" shall mean a person duly elected or appointed to the office of County Coroner, during the term of office of said person.
- (E) "Arkansas State Police" shall mean the Department of Arkansas State Police.
- (F) "Blue Light" shall mean an operable blue light which: is designed for use by an emergency vehicle, or is similar in appearance to a blue light designed for use by an emergency vehicle; and can be operated by use of the vehicle's battery, the vehicle's electrical system, or a dry cell battery.

- (G) "Blue Lens Cap" shall mean any cap or cover which may be used with an emergency light to make the light appear blue.
- (H) "Official Law Enforcement Insignia" shall mean those items relating to the performance of a person's duty as a law enforcement officer when the items are formally sanctioned by the law enforcement agency employing the person. This specifically includes any item which contains the notation of POLICE, SHERIFF or ANY WORDING OR LETTERING that would lead a reasonable person to conclude that the holder thereof was a law enforcement officer.

SECTION 3: REQUIRED IDENTIFICATION:

Before selling or transferring a blue light or blue lens cap, the seller/transferor shall require the buyer to provide identification that legally demonstrates that the buyer is a law enforcement officer, a sheriff, a constable or a county coroner.

Necessary identification for a law enforcement officer shall be:

- (A) A photo identification card issued by the agency employing the officer and verifying current employment of the officer; or
- (B) a notarized letter on letterhead of the agency employing the officer and signed by the administrative head of the agency and verifying current employment of the officer. Such letter shall be accompanied by the employee's current Arkansas driver's license.

Necessary identification for a county sheriff, coroner or constable shall be:

- (A) A photo identification card issued by the Association of Arkansas Counties which specifies the expiration of the sheriff, coroner or constable's term of office; or
- (B) a photo identification card issued by the county in which the sheriff, coroner or constable has jurisdiction and specifying the expiration of the sheriff, coroner or constable's term of office; or
- (C) a notarized letter on letterhead of the county in which the sheriff, coroner or constable has jurisdiction, signed by the county judge or county sheriff naming the sheriff, coroner or constable and specifying the expiration of the sheriff, coroner or constable's term of office. Such letter shall be accompanied by the sheriff, coroner or constable's current Arkansas driver's license.

No other form of identification shall be accepted except as provided herein.

SECTION 4: REPORTING

Each sale of blue lights or blue light lenses as described in Arkansas Code Annotated 5-77-201, et. seq., shall be reported by the seller no later than ten (10) working days after such sale is concluded.

Each sale of blue lights or blue light lenses as described in Arkansas Code Annotated 5-77-201, et. seq., shall be reported by the seller on a form prescribed by the Arkansas State Police to the address as stated on the form. Such form shall be completed in its entirety.

SECTION 5: NOTICE

Except as provided by the laws of the State of Arkansas it is unlawful for any person to install, activate or operate a blue light in or on any vehicle in this state.

It is unlawful for any person other than designated law enforcement personnel to possess in or on any vehicle in this state a blue light as defined herein which is not sealed in the manufacturer's original package with the original seal.

Unauthorized installation, activation, operation of a blue light as specified above shall be a Class A misdemeanor.

Unauthorized sale or transfer of a blue light or lens as specified above shall be a Class D Felony.

The buying and selling of official law enforcement insignia to unauthorized personnel shall be a Class A misdemeanor.

John R. Bailey, Colonel
Director
Arkansas State Police