

12-9-108. Failure to meet qualifications – Effect – Exemptions

- (a) (1) Actions taken by law enforcement officers who do not meet all of the standards and qualifications set forth in this subchapter or made by the Arkansas Commission on Law Enforcement Standards and Training shall not be held invalid merely because of the failure to meet the standards and qualifications.
- (2)(A) The Director of Law Enforcement Standards and Training may temporarily suspend a law enforcement officer's ability to act as a law enforcement officer for failure to meet the standards or qualifications under this subchapter until the failure is corrected or pending review by the commission.
- (B) Notification of a suspension under subdivision (a)(2)(A) of this section shall be made in a timely manner to the administrator of the law enforcement agency by which the law enforcement officer is employed.
- (b) (1) Nothing in this subchapter or any requirements made by the commission shall prevent any action by a private citizen that is now authorized by law.
- (2) No provision of this subchapter shall affect the deputizing of a private citizen by a law enforcement officer in a time of a disaster or emergency.
- (3) Nothing in this subchapter or any other law shall prohibit inspectors and code enforcement officers of cities, towns, or counties from issuing citations for the violation of municipal or county codes, ordinances, or regulations that they are charged by their city, town, or county with the duty of enforcing.
- (4) (A) Cities of the first class, cities of the second class, and incorporated towns are authorized to employ persons or to contract with private or public corporations, associations, or other entities, whether charitable, nonprofit, or for profit, that employ persons who do not meet certification requirements prescribed by the commission to enforce and execute any or all provisions of a municipal parking enforcement ordinance, including, but not limited to, the issuance of citations, the collection of fines, and any other parking enforcement process or procedure as may be established by ordinance of the municipality.
- (B) Persons employed under this subdivision (b)(4) shall not carry firearms nor take any other official law enforcing action except that enumerated in subdivision (b)(4)(A) of this section.