



STATE OF ARKANSAS
ATTORNEY GENERAL
LESLIE RUTLEDGE

Opinion No. 2021-072

December 28, 2021

The Honorable Jane English
State Senator
3 Great Oak Court
North Little Rock, AR 72116

Dear Senator English:

This is in response to your recent request for an opinion from this office concerning provisions of Ark. Code Ann. § 27-37-305(a), which specifically addresses rearview mirrors on highway-operated vehicles.

Your correspondence provides the following background information:

Under Ark. Code Ann. § 27-37-305(a), every motor vehicle is required to be equipped with a rearview mirror. The law states that a motor vehicle is required to be “equipped” with a rearview mirror but does not specify where the rearview mirror is required to be attached to the motor vehicle in order to meet the rearview mirror requirement. Given the ambiguity in the law, [you are] requesting [my] opinion on the following questions:

1. Does Ark. Code Ann. § 27-37-305(a) require that every motor vehicle have a rearview mirror attached to the inside of the motor vehicle’s front windshield?
2. If a rearview mirror is not required to be attached to the inside of a motor vehicle’s front windshield under Ark. Code Ann. § 27-37-305(a), does the law require that the rearview mirror be attached in any other particular location?

RESPONSE

No, the cited provision contains no such requirements.

DISCUSSION

Question 1: Does Ark. Code Ann. § 27-37-305(a) require that every motor vehicle have a rearview mirror attached to the inside of the motor vehicle's front windshield?

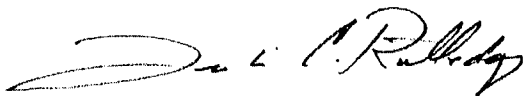
No, the cited statute contains no such requirement. Subsection 27-37-305(a) only requires that every motor vehicle “be equipped with a rearview mirror.”¹ The statute does not indicate where that mirror must be located. Thus, while windscreen-mounted mirrors are the norm for most passenger cars and trucks, the statute does not mandate that placement.

Question 2: If a rearview mirror is not required to be attached to the inside of a motor vehicle's front windshield under Ark. Code Ann. § 27-37-305(a), does the law require that the rearview mirror be attached in any other particular location?

No, the statute is silent as to a rearview mirror's placement. Instead, the statute leaves flexibility and allows for alternative placements, such as, say, dash-mounted mirrors.

Moreover, subsection 27-37-305(b) requires, in part, motor vehicles that are loaded (such that the driver's rear view is obstructed) be equipped with a mirror located at such a place so as to reflect to the driver a view of the highway for a distance of at least 200 feet to the rear of the vehicle.²

Sincerely,



LESLIE RUTLEDGE
Attorney General

¹ Ark. Code Ann. § 27-37-305(a) (Repl. 2014).

² Ark. Code Ann. § 27-37-305(b).