

ARKANSAS SENATE
89th General Assembly - Regular Session, 2013
Amendment Form

Subtitle of House Bill No. 1707

TO AMEND ARKANSAS LAW CONCERNING TEMPORARY PREPRINTED PAPER BUYER'S TAGS FOR
MOTOR VEHICLES; AND TO DECLARE AN EMERGENCY.

Amendment No. 1 to House Bill No. 1707

Amend House Bill No. 1707 as originally introduced:

Page 1, delete line 22 and substitute the following:

“SECTION 1. Arkansas Code § 19-6-201(54), concerning the inclusion of temporary preprinted paper buyer’s tag fees in general revenues, is amended to read as follows:

(54) ~~Unregistered~~ The first three dollars (\$3.00) of each unregistered vehicle temporary preprinted paper buyer’s tag ~~fees~~ fee, § 27-14-1705;

SECTION 2. Arkansas Code § 27-14-1705 is amended to read as follows:”

AND

Page 1, line 26, delete “stickers that are” and substitute “sticker that is”

AND

Page 1, line 33, delete “stickers” and substitute “~~stickers~~ sticker”

AND

Page 4, line 1, delete “stickers” and substitute “~~stickers~~ sticker”

AND

Page 4, delete lines 11 through 14 and substitute the following:

“(3)(A) ~~All~~ Except as provided in subdivision (f)(3)(B) of this section, all fees collected by the director under this section shall be deposited into the State Treasury, and the Treasurer of State shall credit them as general revenues to the General Revenue Fund Account of the State Apportionment Fund.

(B) All amounts in excess of the first three dollars



(\$3.00) of the fee collected under subdivision (f)(1)(A) of this section shall be deposited into the State Treasury, and the Treasurer of State shall credit them as cash revenue to the credit of the Department of Finance and Administration Revenue Services Division to offset administrative costs."

AND

Page 4, delete line 29 and substitute the following:

"(h)(1) In addition to any other penalty prescribed by this section, the director may suspend or terminate a dealer's authority to issue temporary preprinted paper buyer's tags if the director determines that the dealer, manager, salesperson, or employee of the dealer:

(A) Issues more than one (1) temporary preprinted paper buyer's tag to the same buyer for the same motor vehicle, except as authorized under subdivision (b)(2) or subdivision (d)(2) of this section; or

(B) Utilizes a temporary preprinted paper buyer's tag for any use other than a use authorized by subsections (b) and (d) of this section.

(2) The director shall:

(A) Notify the dealer in writing of a suspension or termination of the dealer's authority to issue temporary preprinted paper buyer's tags under this section; and

(B) Provide information in the notice regarding the prohibited activity upon which the suspension or termination is based.

(3) The dealer's authority to issue temporary preprinted paper buyer's tags may be suspended for:

(A) Six (6) months for the first occurrence under subdivision (h)(1) of this section; or

(B) One (1) year for the second occurrence under subdivision (h)(1) of this section.

(4) The dealer's authority to issue temporary preprinted paper buyer's tags may be terminated for a third or subsequent occurrence under subdivision (h)(1) of this section.

(5)(A) A dealer who desires a hearing on the suspension or termination shall notify the director in writing within twenty (20) days after receipt of the notice of suspension or termination.

(B) A hearing officer appointed by the director shall schedule a hearing in an office of the Revenue Division of the Department of Finance and Administration in the county of the dealer's principal place of business, unless the director and the dealer agree to another location for the hearing or agree that the hearing shall be held by telephone.

(C) Hearings conducted under this section shall be subject to the Arkansas Administrative Procedure Act, § 25-15-201 et seq.

(D) The hearing officer shall render his or her decision in writing to modify, reverse, or affirm the suspension or termination of the dealer's authority to issue temporary preprinted paper buyer's tags based upon the evidence presented at the hearing and shall serve a copy of the decision on the dealer.

(6)(A) If the decision sustains, in whole or in part, the suspension or termination of the dealer's authority to issue temporary preprinted paper buyer's tags, the dealer may file suit within thirty (30) days of receipt of the decision in the Pulaski County Circuit Court or the

circuit court of the county of the dealer's principal place of business.

(B) The dealer shall serve a copy of the petition on the director.

(C) The appeal shall not stay the order of suspension or termination and the order shall remain in effect and be terminated only in the event a decision reversing the suspension or termination is issued by the circuit court.

(7) An appeal from the circuit court shall be in accordance with the laws governing appeals.

(h)(1)(i)(l) Any dealer or approved vendor or any manager, salesperson, or”

AND

Page 5, line 16, delete “(i)” and substitute “~~(i)~~(j)”

AND

Page 5, line 20, delete “SECTION 2.” and substitute “SECTION 3.”

The Amendment was read the first time, rules suspended and read the second time and _____

By: Senator B. Sample

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Secretary