

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

Subtitle of Senate Bill No. 1101

TO AMEND THE LAW CONCERNING THE APPLICABILITY OF TOWING AND STORAGE LAW AND
THE REMOVAL OF UNATTENDED OR ABANDONED VEHICLES.

Amendment No. 1 to Senate Bill No. 1101

Amend Senate Bill No. 1101 as originally introduced:

Delete all language following the enacting clause and substitute:

"SECTION 1. Arkansas Code § 27-50-1201 is amended to read as follows:
27-50-1201. Applicability.

(a) This subchapter applies to a person:

- (1) Engaged in the towing or storage of vehicles for any commercial purpose in the State of Arkansas; and
- (2) That is hired to tow or store the vehicle for any commercial purpose.

(b) This subchapter does not apply to the following tow vehicles and related equipment:

- (1) Car carriers capable of carrying five (5) or more vehicles and that have ~~federal Interstate Commerce Commission~~ Federal Motor Carrier Safety Administration authority;
- (2) Tow vehicles owned by a governmental entity and not used for commercial purposes; and
- (3) If in compliance with § 27-35-112, tow vehicles that are:
 - (A) Registered in another state;
 - (B) Operating under ~~federal Interstate Commerce Commission~~ Federal Motor Carrier Safety Administration authority; and
 - (C) Not regularly doing business or soliciting business in the State of Arkansas.

SECTION 2. Arkansas Code § 27-50-1202, concerning definitions under the law related to the removal of unattended or abandoned vehicles, is amended to add an additional definition to read as follows:

(13) "Commercial purpose" means:

- (A) Using a tow vehicle to facilitate the movement of a vehicle on a public way for compensation or the expectation of compensation;
- (B) Engaging in the business of towing, storing, or towing and storing vehicles for compensation or the expectation of compensation;
- (C) Performing an act of towing, storing, or towing and storing a vehicle for compensation or the expectation of compensation; or



(D) Offering to tow, store, or tow and store a vehicle for compensation or the expectation of compensation."

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

By: Senator Rapert

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Secretary