

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

1 State of Arkansas
2 8th General Assembly
3 Regular Session, 2005
4

As Engrossed: H3/14/05

A Bill

HOUSE BILL 2710

5 By: Representative Bolin
6
7

For An Act To Be Entitled

9 AN ACT TO MODIFY THE REQUIREMENTS TO OBTAIN AN
10 ANTIQUE SPECIAL LICENSE PLATE; AND FOR OTHER
11 PURPOSES.
12

Subtitle

14 TO MODIFY THE REQUIREMENTS TO OBTAIN AN
15 ANTIQUE SPECIAL LICENSE PLATE.
16
17

18 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
19

20 SECTION 1. Arkansas Code Title 27, Chapter 15, Subchapter 22 is
21 amended to read as follows:

22 Subchapter 22.

23 Historical or Special Interest Vehicles.

24 27-15-2201. Definitions.

25 As used in this subchapter, unless the context otherwise requires:

26 (1) "Collector" means the owner of one (1) or more motor
27 vehicles of historic or special interest who collects, purchases, acquires,
28 trades, or disposes of those vehicles, or parts thereof, for his or her own
29 use in order to preserve, restore, and maintain a vehicle or vehicles for
30 hobby purposes;

31 (2)(A) "Historic or special interest vehicle" means a vehicle of
32 age which is essentially unaltered from the original manufacturer's
33 specifications and which, because of its significance, is being collected,
34 preserved, restored, or maintained by a hobbyist as a leisure pursuit.

35 (B) This category shall include vehicles sometimes
36 referred to by the classifications of antique, horseless carriage, classic,



1 or action era.

2 (C)(i) Vehicles with modifications or deviations from the
3 original specifications may be permitted under this classification if the
4 modifications or deviations are of historic nature and characteristic of the
5 approximate era to which the vehicles belong or if they could be considered
6 to be in the category of safety features.

7 (ii) Safety-related modifications include hydraulic
8 brakes, sealbeam headlights, and seat belts.

9 (iii) Accessories acceptable under such
10 classifications are those available in the era to which the vehicles belong;
11 and

12 (3) "Parts car" means a motor vehicle generally in nonoperable
13 condition which is owned by a collector to furnish parts that are usually not
14 obtainable from normal sources, thus enabling a collector to preserve,
15 restore, and maintain a vehicle of historic or special interest.

16

17 27-15-2202. Registration - Fee.

18 (a)(1)(A) Any person who is the owner of an historic or special
19 interest vehicle which is twenty-five (25) or more years old at the time of
20 making application for registration or transfer of title may, upon
21 application, register it as an historic or special interest vehicle, upon the
22 payment of ~~a fee of seven dollars (\$7.00)~~ the fees under subdivision
23 (a)(1)(B) of this section for each vehicle, and be furnished a license plate
24 of distinctive design to be displayed on each vehicle in lieu of the usual
25 license plates.

26 (B) An applicant for a special license plate under this
27 subchapter shall remit the following fees:

28 (i) The fee required by law for the registration and
29 licensing of the motor vehicle;

30 (ii) A fee of twenty-five dollars (\$25.00) to be
31 deposited as special revenue to the credit of the State Highway Special
32 Construction Account; and

33 (iii) A handling and administrative fee in the
34 amount of ten dollars (\$10.00).

35 (C) To renew a special license plate issued under this
36 subchapter, the owner of the motor vehicle shall remit the fees under

1 subdivision (a)(1)(B) of this section.

2 (2) These plates shall have the same legal significance as
3 ordinary license plates.

4 (3) These plates, in addition to the identification number,
5 shall identify the vehicle as an historical or antique vehicle owned by an
6 Arkansas collector.

7 ~~(4) The registration shall be valid while the vehicle is owned~~
8 ~~by the applicant without the payment of any additional fee, tax, or license.~~

9 (b)(1) The numbering of these plates shall continue chronologically
10 from the existing antique automobile registration lists, using the current
11 design and emblem.

12 (2) Application for these plates shall be made to the Office of
13 Motor Vehicle on special application forms prescribed by the Commissioner of
14 Motor Vehicles.

15 ~~(e) [Repealed].~~

16 ~~(d)~~(c) Upon selling or otherwise relinquishing ownership of an
17 historic or special interest vehicle, a collector may retain possession of
18 the vehicle plate and transfer its registration to another vehicle of the
19 same category in his or her possession, upon payment of one-half (1/2) the
20 fee prescribed in subsection (a) of this section.

21 ~~(e)~~(d)(1) A vehicle manufactured as a reproduction or facsimile of an
22 historic or special interest vehicle shall not be eligible for registration
23 under this section unless it has been in existence for twenty-five (25) years
24 or more.

25 (2) The age shall be calculated from the date the vehicle was
26 originally assembled as a facsimile.

27 ~~(f)~~(e) Collectors who, on July 8, 1975, have vehicles licensed as
28 antiques under current statutes shall not be required to register these
29 vehicles or obtain new license plates for these vehicles.

30

31 27-15-2203. Affidavit - Vehicle restored to original specifications
32 required.

33 (a) Any person making application for an antique motor vehicle license
34 plate under § 27-15-2202 shall transmit to the Office of Motor Vehicle an
35 affidavit signed by the applicant stating that the motor vehicle described in
36 the application is restored to its original specifications as closely as is

1 reasonably possible and that the applicant will relinquish the antique motor
2 vehicle license plate in the event the motor vehicle is altered from its
3 original specifications, except to the extent authorized or required by law.

4 (b)(1) Upon notification of a violation of this section, the office
5 shall require the owner of any antique motor vehicle licensed under this
6 subchapter to provide the office proof of conformity with this subchapter.

7 (2) If the office determines that the owner of such an antique
8 motor vehicle is in violation of this section, the antique motor vehicle
9 license plate shall be seized by the office and the owner fined ~~thirty-seven~~
10 ~~dollars and fifty cents (\$37.50)~~ an amount not to exceed five hundred dollars
11 (\$500).

12
13 27-15-2204. Assemblage of vehicle.

14 (a)(1) A collector who has assembled a vehicle meeting the
15 specifications of this subchapter from parts obtained from a variety of
16 different sources and at various different times shall be issued a title upon
17 furnishing a bill or bills of sale for the components.

18 (2) In cases when that evidence by itself is deemed inadequate,
19 the collector shall execute an affidavit in verification.

20 (b) To be considered adequate, bills of sale shall be notarized and
21 shall indicate the source of the engine and body and shall list the
22 identification or serial number of the engine and body for the chassis, if
23 applicable.

24
25 27-15-2205. Equipment.

26 (a) Unless the presence of equipment specifically named by Arkansas
27 law was a prior condition for legal sale within Arkansas at the time the
28 historic or special interest vehicle was manufactured for first use, the
29 presence of such equipment shall not be required as a condition for current
30 legal use.

31 (b) Any motor vehicle of historic or special interest manufactured
32 prior to the date emission controls were standard equipment on that
33 particular make or model of vehicle is exempted from statutes requiring the
34 inspection and use of such emission controls.

35 (c) Any safety equipment that was manufactured as part of the
36 vehicle's original equipment must be in proper operating condition.

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27-15-2206. Limitations on use.

(a)(1) Historic or special interest vehicles may be used for the same purposes and under the same conditions as other motor vehicles of the same type except that, under ordinary circumstances, such vehicles may not be used to transport passengers for hire.

(2) At special events that are sponsored or in which participation is by organized clubs, the vehicles may transport passengers for hire only if money received is to be used for club activities or to be donated to a charitable nonprofit organization.

(b) Trucks of such classification may not haul material more than one thousand pounds (1,000 lbs.) nor be used regularly in a business in lieu of other vehicles with regular license plates.

27-15-2207. Storage regulation.

Subject to land use regulations of a county or municipality, a collector may store any vehicles, licensed or unlicensed, operable or inoperable, on his or her property if:

(1) The vehicles, parts cars, and any outdoor storage areas are maintained in such a manner that they do not constitute a health hazard; and

(2) The vehicles are located away from ordinary public view or are screened from ordinary public view by means of natural objects, fences, plantings, opaque covering, or other appropriate means.

27-15-2208. Sale or transfer.

The sale or trade and subsequent legal transfer of ownership of a motor vehicle or parts car of historic or special interest shall not be contingent upon any condition that would require the vehicle or parts car to be in operating condition at the time of the sale or transfer of ownership.

SECTION 2. Arkansas Code Title 27, Chapter 14 is amended to add an additional subchapter to read as follows:

Subchapter 25.

Antique Motorcycles.

27-14-2501. Definition.

(a) "Antique motorcycle" means a motorcycle which is at least twenty-

1 five (25) years old and essentially unaltered from the original
2 manufacturer's specifications and which is being collected, preserved,
3 restored, or maintained by a hobbyist as a leisure pursuit.

4 (b) Modifications or deviations from the original specifications may
5 be permitted under this classification if the modifications or deviations are
6 of an historic nature and characteristic of the approximate era to which the
7 motorcycle belongs or if they could be considered to be in the category of
8 safety features.

9
10 27-14-2502. Reproductions.

11 (a) A motorcycle manufactured as a reproduction or facsimile of an
12 antique motorcycle shall not be eligible for registration under this section
13 unless it has been in existence for twenty-five (25) years or more.

14 (b) The age shall be calculated from the date the vehicle was
15 originally assembled as a facsimile.

16
17 27-14-2503. Ownership requirement.

18 Each collector applying for an antique motorcycle license plate shall
19 own and have registered one (1) or more motorcycles with regular plates.

20
21 27-14-2504. Registration - Fee.

22 (a)(1) Any person who is the owner of an antique motorcycle may, upon
23 application to the Office of Motor Vehicle, register it as an antique
24 motorcycle upon the payment of the fees as provided under subdivision (a)(2)
25 of this section and be furnished a license plate of distinctive design to be
26 displayed in lieu of the usual license plate.

27 (2) An applicant for a special license plate under this
28 subchapter shall remit the following fees:

29 (A) The fee required by law for the registration and
30 licensing of the motor vehicle;

31 (B) A fee of ten dollars (\$10.00) to be deposited as
32 special revenue to the credit of the Highway Special Construction Fund
33 Account as special revenues; and

34 (C) A handling and administrative fee in the amount of one
35 dollar (\$1.00).

36 (3) To renew a special license plate issued under this

1 subchapter, the owner of the motor vehicle shall remit the fees under
2 subdivision (a)(2) of this section.

3 (b) This plate, in addition to the identification number, shall
4 identify the vehicle as an antique motorcycle owned by an Arkansas collector.

5
6 27-14-2505. Transfer of registration.

7 Upon selling or otherwise relinquishing ownership of an antique
8 motorcycle, a collector may retain possession of the antique motorcycle
9 license plate and transfer its registration to another antique motorcycle in
10 his or her possession upon payment of one-half (1/2) of the fees prescribed
11 in § 27-14-2504.

12
13 27-14-2506. Use.

14 Antique motorcycles may be used for the same purposes and under the
15 same conditions as other motorcycles of the same type.

16
17 SECTION 3. Arkansas Code Title 27, Chapter 15, Subchapter 23 is
18 repealed.

19 ~~Subchapter 23.~~

20 ~~Antique Motoreycles.~~

21 ~~27-15-2301. Definition.~~

22 ~~(a) "Antique motoreycle" means a motoreycle which is at least twenty-~~
23 ~~five (25) years old and essentially unaltered from the original~~
24 ~~manufacturer's specifications and which is being collected, preserved,~~
25 ~~restored, or maintained by a hobbyist as a leisure pursuit.~~

26 ~~(b) Modifications or deviations from the original specifications may~~
27 ~~be permitted under this classification if the modifications or deviations are~~
28 ~~of an historic nature and characteristic of the approximate era to which the~~
29 ~~motoreycle belongs or if they could be considered to be in the category of~~
30 ~~safety features.~~

31
32 ~~27-15-2302. Reproductions.~~

33 ~~(a) A motoreycle manufactured as a reproduction or faecsimile of an~~
34 ~~antique motoreycle shall not be eligible for registration under this section~~
35 ~~unless it has been in existence for twenty five (25) years or more.~~

36 ~~(b) The age shall be calculated from the date the vehicle was~~

1 ~~originally assembled as a facsimile.~~

2
3 ~~27-15-2303. Ownership requirement.~~

4 ~~Each collector applying for an antique motorcycle license plate must~~
5 ~~own and have registered one (1) or more motorcycles with regular plates.~~

6
7 ~~27-15-2304. Registration—Fee.~~

8 ~~(a) Any person who is the owner of an antique motorcycle may, upon~~
9 ~~application to the Office of Motor Vehicle, register it as an antique~~
10 ~~motorcycle upon the payment of a fee of five dollars (\$5.00) and be furnished~~
11 ~~a license plate of distinctive design to be displayed in lieu of the usual~~
12 ~~license plate.~~

13 ~~(b) This plate, in addition to the identification number, shall~~
14 ~~identify the vehicle as an antique motorcycle owned by an Arkansas collector.~~

15 ~~(c) The registration shall be valid while the motorcycle is owned by~~
16 ~~the applicant without the payment of any additional fee, tax, or license.~~

17
18 ~~27-15-2305. Transfer of registration.~~

19 ~~Upon selling or otherwise relinquishing ownership of an antique~~
20 ~~motorcycle, a collector may retain possession of the antique motorcycle~~
21 ~~license plate and transfer its registration to another antique motorcycle in~~
22 ~~his or her possession upon payment of one half (1/2) of the fee prescribed in~~
23 ~~§ 27-15-2304.~~

24
25 ~~27-15-2306. Use.~~

26 ~~Antique motorcycles may be used for the same purposes and under the~~
27 ~~same conditions as other motorcycles of the same type.~~

28
29 */s/ Bolin*