

1 State of Arkansas  
2 87th General Assembly  
3 Regular Session, 2009  
4

*As Engrossed: H3/17/09*  
**A Bill**

HOUSE BILL 1867

5 By: Representative J. Edwards  
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**For An Act To Be Entitled**

9 AN ACT TO REQUIRE NOTICE TO BE GIVEN TO A MOTOR  
10 VEHICLE LIENHOLDER BEFORE THE ISSUANCE OF A  
11 DUPLICATE MOTOR VEHICLE TITLE; AND FOR OTHER  
12 PURPOSES.  
13

**Subtitle**

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15 TO REQUIRE NOTICE TO BE GIVEN TO A MOTOR  
16 VEHICLE LIENHOLDER BEFORE THE ISSUANCE  
17 OF A DUPLICATE MOTOR VEHICLE TITLE.  
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20 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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22 SECTION 1. Arkansas Code § 27-14-720 is amended to read as follows:  
23 27-14-720. Lost or damaged certificates and plates.

24 (a) In the event any registration certificate or license plate is  
25 lost, mutilated, or becomes illegible, the owner or legal representative or  
26 successor in interest of the owner of the vehicle for which it was issued, as  
27 shown by the records of the Office of Motor Vehicle, shall immediately make  
28 application for, and may obtain, a duplicate or a substitute or a new  
29 registration under a new registration number, as determined to be most  
30 advisable by the office, upon the applicant furnishing information  
31 satisfactory to the office.

32 (b)(1)(A) In the event any certificate of title is lost, mutilated, or  
33 becomes illegible the owner or legal representative or successor in interest  
34 of the owner of the vehicle for which it was issued, as shown by the records  
35 of the office, shall immediately make application to the office for, and may  
36 obtain a duplicate, ~~upon the applicant furnishing information satisfactory to~~



1 ~~the office~~ if the conditions of this subdivision (b)(1) are satisfied.

2 (B) The following information shall be included in the  
3 application:

4 (i) The year, make, model, vehicle identification  
5 number, and body style of the vehicle;

6 (ii)(a) The name of a lienholder; and

7 (b) A release if the applicant claims that the  
8 lien has been released; and

9 (iv) Other information required by the office.

10 (C) The fee for a duplicate title shall accompany the  
11 application.

12 (D) The office may issue a duplicate title without notice  
13 if the records of the office do not show that a lien exists against the  
14 vehicle.

15 (E)(i)(a) The office shall mail notice to a lienholder  
16 shown in the records of the office at the address shown in the records for  
17 the lienholder.

18 (b) The notice shall state that the lienholder  
19 must respond to the office within ten (10) business days from the date of the  
20 notice if the lien has not been released or the duplicate title will be  
21 issued without recording the lien.

22 (ii)(a) At the earlier of the time the lienholder  
23 responds indicating that the lien has been released or the expiration of the  
24 time for response by the lienholder, the office may issue a duplicate title  
25 without recording the name of the lienholder.

26 (b) If the lienholder responds within the time  
27 for response indicating that the lien has not been released, the office may  
28 issue a duplicate that places the name of the lienholder on the duplicate  
29 title.

30 (iii) The notice required under this subdivision  
31 (b)(1)(E) shall not apply to a motor vehicle dealer approved by the  
32 Department of Finance and Administration.

33 (2) Upon issuance of any duplicate certificate of title, the  
34 previous certificate last issued shall be void.

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36 /s/ J. Edwards