

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 87th General Assembly
3 Regular Session, 2009

A Bill

HOUSE BILL 2020

4
5 By: Representative Overbey
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7

For An Act To Be Entitled

8
9 AN ACT TO CLARIFY THE REQUIREMENTS FOR LICENSING
10 AND REGISTERING A MOTOR VEHICLE; AND FOR OTHER
11 PURPOSES.
12

Subtitle

13
14 TO CLARIFY THE REQUIREMENTS FOR
15 LICENSING AND REGISTERING A MOTOR
16 VEHICLE.
17

18
19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
20

21 SECTION 1. Arkansas Code § 27-14-723 is amended to read as follows:
22 27-14-723. When residents and nonresidents to obtain state
23 registration and license.

24 (a) Within thirty (30) calendar days of becoming a resident, ~~any~~ a
25 person who is a resident of this state shall obtain an Arkansas motor vehicle
26 registration and license in order to operate ~~the~~ a motor vehicle upon the
27 streets and highways of this state.

28 (b) ~~Any~~ A nonresident person who has been physically present in this
29 state for a period of six (6) months shall obtain an Arkansas motor vehicle
30 registration and license in order to operate ~~the~~ a motor vehicle upon the
31 streets and highways of this state.

32 (c)(1)(A) As used in this subsection, "entity" means a firm,
33 corporation, association, partnership, or organization that transacts or
34 conducts business in Arkansas and has a place of business in Arkansas.

35 (B) "Entity" does not include a firm, corporation,
36 association, partnership, or organization engaged in one (1) or more of the



1 following:

2 (A) Governmental operations, including municipal, county,
3 state, or federal operations;

4 (B) Utility operation, maintenance, or repair;

5 (C) Construction;

6 (D) Natural resource exploration, production, or mining,
7 including without limitation oil, gas, gravel, and timber; or

8 (E) Agricultural operations.

9 (2)(A)(i) An entity that transacts or conducts business in
10 Arkansas and has a place of business in Arkansas shall register a motor
11 vehicle with an unladen weight of four-thousand five hundred pounds (4,500
12 lbs.) or less that the entity owns and uses in its business operations in the
13 state with the Office of Motor Vehicle of the Revenue Division of the
14 Department of Finance and Administration within thirty (30) calendar days
15 from the start of business in the state.

16 (ii) If an entity began transacting or conducting
17 business in the state before the date that this act became effective, the
18 entity shall have thirty (30) calendar days to comply with this subsection.

19 (B)(i) If a court of competent jurisdiction finds that an
20 entity has failed to comply with subdivision (c)(2)(A) of this section, the
21 court may assess a civil penalty against the entity not to exceed ten
22 thousand dollars (\$10,000).

23 (ii) Proof that an employee or owner of the entity
24 was found guilty of a violation of subdivision (c)(2)(A) of this section
25 shall establish a prima facie case that the entity failed to comply with
26 subdivision (c)(2)(A) of this section.

27 (iii) A penalty assessed under this subdivision
28 (c)(2)(B) shall become a lien against the property owned by the entity in the
29 state.

30 (iv) An entity may appeal the assessment of a civil
31 penalty under this subdivision (c)(2)(B) to a circuit court of competent
32 jurisdiction.

33 (d) A person who pleads guilty or nolo contendere to or is found
34 guilty of operating a motor vehicle that is not in compliance with this
35 section is guilty of a violation and punishable as provided under § 5-4-
36 201(c).