

1 State of Arkansas  
2 89th General Assembly  
3 Regular Session, 2013  
4

# A Bill

HOUSE BILL 1707

5 By: Representative B. Overbey  
6

## For An Act To Be Entitled

8 AN ACT TO AMEND ARKANSAS LAW CONCERNING TEMPORARY  
9 PREPRINTED PAPER BUYER'S TAGS FOR MOTOR VEHICLES; TO  
10 DECLARE AN EMERGENCY; AND FOR OTHER PURPOSES.  
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## Subtitle

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13 TO AMEND ARKANSAS LAW CONCERNING  
14 TEMPORARY PREPRINTED PAPER BUYER'S TAGS  
15 FOR MOTOR VEHICLES; AND TO DECLARE AN  
16 EMERGENCY.  
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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 § 27-14-1705 is amended to read as follows:  
23 27-14-1705. Temporary preprinted paper buyer's tags.

24 (a)(1)(A) A person who buys a motor vehicle from a licensed dealer  
25 shall be required to obtain one (1) temporary preprinted paper buyer's tag  
26 for the vehicle and any correlating stickers that are to be placed on the  
27 tag.

28 (B) The preprinted paper buyer's tag may be issued by an  
29 approved licensed dealer, vendor, or the Office of Motor Vehicle.

30 (2)(A) A person who buys a motor vehicle from a licensed dealer  
31 that cannot issue temporary preprinted paper buyer's tags shall:

32 (i) Obtain the preprinted paper buyer's tag and  
33 stickers within ten (10) calendar days after the date of purchase of the  
34 vehicle from an approved vendor or the Office of Motor Vehicle;

35 (ii) Provide to the vendor or the Office of Motor  
36 Vehicle a copy of the bill of sale or other documentation necessary to verify



1 the dealer's name, the buyer's name, the date of sale, the motor vehicle's  
2 vehicle identification number, and the make, color, and model of the vehicle;  
3 and

4 (iii) Maintain a copy of the bill of sale for the  
5 motor vehicle in the vehicle until the buyer obtains the preprinted paper  
6 buyer's tag and ~~stickers~~ sticker.

7 (B) A person who fails to obtain a preprinted paper  
8 buyer's tag and ~~stickers~~ sticker within ten (10) calendar days of the date of  
9 purchase of the vehicle is subject to the fines in this section.

10 (b)(1) The temporary preprinted paper buyer's tag is valid for the  
11 operation of the vehicle until the earlier of:

12 (A) The date on which the vehicle is registered; or

13 (B) The thirtieth calendar day after the date of purchase.

14 (2)(A) If the date that a transferee of a motor vehicle must  
15 register the vehicle is extended under § 27-14-903(a)(2), the dealer may  
16 issue one (1) additional temporary preprinted paper buyer's tag and sticker  
17 to the transferee, to expire thirty (30) calendar days from the date that the  
18 additional temporary preprinted paper buyer's tag was issued.

19 (B)(i) If the dealer cannot issue preprinted paper buyer's  
20 tags, the transferee may obtain a temporary preprinted paper buyer's tag from  
21 the Office of Motor Vehicle.

22 (ii) The additional preprinted paper buyer's tag  
23 expires thirty (30) calendar days from the date the additional tag was  
24 issued.

25 (c)(1)(A) The following information shall be printed by the dealer,  
26 the vendor, or the Office of Motor Vehicle on the face of the temporary  
27 preprinted paper buyer's tags:

28 (i) The actual date of sale;

29 (ii) The date of expiration;

30 (iii) The vehicle year, make, and model;

31 (iv) The vehicle identification number;

32 (v) The name of the issuing dealer; and

33 (vi) Other information required by the Office of  
34 Motor Vehicle.

35 (B) The expiration date of the preprinted paper buyer's  
36 tag shall be shown in ink on the preprinted paper buyer's tag in a place to

1 be determined by the Office of Motor Vehicle, and the date shall be covered  
2 by a sticker for added security.

3 (2) A dealer ~~who~~ that issues a temporary preprinted paper  
4 buyer's tag shall indicate on the bill of sale that a temporary preprinted  
5 paper buyer's tag was issued in order to facilitate collection of the fees  
6 required by this subchapter.

7 (d)(1)(A) The temporary preprinted paper buyer's tag issued under this  
8 section shall be placed at the location provided for the permanent motor  
9 vehicle license plate.

10 (B)(i) The temporary preprinted paper buyer's tag shall be  
11 covered by a translucent material that protects the temporary tag until the  
12 tag's expiration.

13 (ii) The translucent material covering the tag shall  
14 be approved by the Office of Motor Vehicle.

15 (C)(i) The information on the tag shall be visible and  
16 readable when viewing the temporary tag covered with the translucent  
17 material.

18 (ii) The translucent material shall cover the tag in  
19 the manner approved by the Office of Motor Vehicle.

20 (D) A dealer ~~who~~ that issues a temporary preprinted paper  
21 buyer's tag shall insert the tag ~~in~~ into the translucent material and attach  
22 the tag to each vehicle the dealer sells to keep the tag in place and  
23 readable when the vehicle is in use.

24 (2) If a preprinted paper buyer's tag placed at the location  
25 provided for the permanent motor vehicle license plate becomes damaged or  
26 destroyed, the motor vehicle purchaser shall be required to register the  
27 vehicle under § 27-14-705 or obtain a replacement preprinted paper buyer's  
28 tag from the original issuing dealer or from the Office of Motor Vehicle.

29 (3) The replacement preprinted paper buyer's tag shall expire on  
30 the expiration date of the original preprinted paper buyer's tag.

31 (e) The Director of the Department of Finance and Administration shall  
32 provide the specifications, form, and color of the temporary preprinted paper  
33 buyer's tag.

34 (f)(1)(A) The buyer shall be responsible for paying to the director a  
35 fee to be set by the director, which shall not exceed ~~two dollars and fifty~~  
36 ~~cents (\$2.50)~~ four dollars (\$4.00), for each temporary preprinted paper

1 buyer's tag and any correlating stickers the buyer receives.

2 (B) This fee shall be collected at the time the buyer  
3 registers the vehicle under § 27-14-705.

4 (2) The gross receipts or gross proceeds derived from the sale  
5 or issuance of temporary preprinted paper buyer's tags under this section  
6 shall be exempt from the Arkansas gross receipts tax levied by the Arkansas  
7 Gross Receipts Act of 1941, § 26-52-101 et seq., and the Arkansas  
8 compensating use tax levied by the Arkansas Compensating Tax Act of 1949, §  
9 26-53-101 et seq., and any other state or local tax administered under those  
10 chapters.

11 (3) All fees collected by the director under this section shall  
12 be deposited into the State Treasury, and the Treasurer of State shall credit  
13 them as general revenues to the General Revenue Fund Account of the State  
14 Apportionment Fund.

15 (g)(1) For each temporary preprinted paper buyer's tag provided to a  
16 buyer, the issuer shall retain documentation containing:

17 (A) The dealer's name and master license plate number;

18 (B) The buyer's name;

19 (C) The date the temporary preprinted paper buyer's tag  
20 was issued;

21 (D) The vehicle's vehicle identification number;

22 (E) The make and model of the vehicle; and

23 (F) The expiration date of the temporary preprinted paper  
24 buyer's tag.

25 (2) An issuer of preprinted paper buyer's tags shall provide the  
26 documentation required to be retained by subdivision (g)(1) of this section  
27 to the Office of Motor Vehicle on the date of sale for entry into the vehicle  
28 temporary tag database provided in § 27-14-1708.

29 (h)(1) Any dealer or approved vendor or any manager, salesperson, or  
30 employee of the dealer or vendor who pleads guilty or nolo contendere to or  
31 is found guilty of the misuse of a temporary preprinted paper buyer's tag or  
32 of allowing anyone else to misuse a temporary preprinted paper buyer's tag  
33 shall be fined not more than:

34 (A) Two hundred fifty dollars (\$250) for the first  
35 offense;

36 (B) Five hundred dollars (\$500) for the second offense;

1 and

2 (C) One thousand dollars (\$1,000) for the third and  
 3 subsequent offenses.

4 (2) A buyer who pleads guilty or nolo contendere to or is found  
 5 guilty of failing to obtain a temporary buyer's tag shall be fined not more  
 6 than twenty-five dollars (\$25.00).

7 (3) A buyer who pleads guilty or nolo contendere to or is found  
 8 guilty of altering a preprinted paper buyer's tag or the fraudulent use of a  
 9 preprinted paper buyer's tag shall be fined not more than:

10 (A) Two hundred fifty dollars (\$250) for the first  
 11 offense;

12 (B) Five hundred dollars (\$500) for the second offense;  
 13 and

14 (C) One thousand dollars (\$1,000) for the third and  
 15 subsequent offenses.

16 (i) This section does not apply to an owner or lessee of a registered  
 17 motor vehicle who elects to display a license plate on a replacement motor  
 18 vehicle under § 27-14-902(a)(3)(B).

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20 SECTION 2. EMERGENCY CLAUSE. It is found and determined by the  
 21 General Assembly of the State of Arkansas that this act is necessary to  
 22 ensure that motor vehicles on the road are properly tagged after purchase;  
 23 and that this act should become effective as soon as possible to promote the  
 24 safety of the public when operating motor vehicles. Therefore, an emergency  
 25 is declared to exist, and this act being immediately necessary for the  
 26 preservation of the public peace, health, and safety shall become effective  
 27 on:

28 (1) The date of its approval by the Governor;

29 (2) If the bill is neither approved nor vetoed by the Governor,  
 30 the expiration of the period of time during which the Governor may veto the  
 31 bill; or

32 (3) If the bill is vetoed by the Governor and the veto is  
 33 overridden, the date the last house overrides the veto.

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