

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 83rd General Assembly
3 Regular Session, 2001
4

A Bill

Act 1047 of 2001
SENATE BILL 310

5 By: Senator T. Smith
6
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For An Act To Be Entitled

9 AN ACT TO AMEND ARKANSAS CODE 26-52-510 AND 26-53-126
10 TO REQUIRE THAT THE SELLER OF A USED VEHICLE CLAIMING
11 A TAX CREDIT ON THE PURCHASE OF A NEW OR USED VEHICLE
12 PROVIDE A COPY OF THE BILL OF SALE SIGNED BY ALL
13 PARTIES TO THE TRANSACTION UPON REGISTRATION OF THE
14 NEW OR USED VEHICLE; AND FOR OTHER PURPOSES.
15

Subtitle

16 TO REQUIRE THE SELLER OF A USED VEHICLE
17 CLAIMING A TAX CREDIT ON THE PURCHASE OF
18 A NEW OR USED VEHICLE TO PROVIDE A COPY
19 OF THE BILL OF SALE SIGNED BY ALL
20 PARTIES TO THE TRANSACTION UPON
21 REGISTRATION OF THE NEW OR USED VEHICLE.
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25 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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27 SECTION 1. Arkansas Code 26-52-510(b)(1)(C) pertaining to the sale of a
28 used motor vehicle, trailer or semi trailer by a consumer is amended to read as
29 follows:

30 (C)(i) When a used motor vehicle, trailer, or semi trailer is sold by a
31 consumer, rather than traded-in as a credit or part payment on the sale of a
32 new or used motor vehicle, trailer, or semi trailer, and the consumer
33 subsequently purchases a new or used vehicle, trailer or semi trailer of
34 greater value within forty-five (45) days of the sale, the tax levied by this
35 chapter and all other gross receipts taxes levied by the state shall be paid
36 on the net difference between the total consideration for the new or used

1 vehicle, trailer, or semi trailer purchased subsequently and the amount
 2 received from the sale of the used vehicle, trailer, or semi trailer sold in
 3 lieu of a trade-in.

4 (ii) Upon registration of the new or used motor vehicle, consumers
 5 claiming the deduction provided by § 26-52-510(b)(1)(C)(i) shall provide a
 6 bill of sale signed by all parties to the transaction which reflects the total
 7 consideration paid to the seller for the vehicle. A copy of the bill of sale
 8 shall be deposited with the revenue office at the time of registration of the
 9 new or used motor vehicle. The deduction provided by this section shall not
 10 be allowed unless the taxpayer claiming the deduction provides a copy of a
 11 bill of sale signed by all parties to the transaction which reflects the total
 12 consideration paid to the seller for the vehicle.

13 (iii) If the taxpayer claiming the deduction provided in this section
 14 fails to provide a bill of sale signed by all parties to the transaction which
 15 reflects the total consideration paid to the seller for the vehicle, tax shall
 16 be due on the total consideration paid for the new or used vehicle, trailer or
 17 semi trailer without any deduction for the value of the item sold.

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 19 SECTION 2. Arkansas Code 26-53-126(b)(3) pertaining to the sale of a
 20 used motor vehicle, trailer or semi trailer by a consumer is amended to read as
 21 follows:

22 (b)(3)(A) When a used motor vehicle, trailer, or semi trailer is sold by
 23 a consumer, rather than traded in as a credit or part payment on the sale of a
 24 new or used motor vehicle, trailer, or semi trailer, and the consumer
 25 subsequently purchases a new or used vehicle, trailer or semi trailer of
 26 greater value within forty-five (45) days of the sale, the tax levied by this
 27 chapter and all other gross receipts taxes levied by the state shall be paid
 28 on the net difference between the total consideration for the new or used
 29 vehicle, trailer, or semi trailer purchased subsequently and the amount
 30 received from the sale of the used vehicle, trailer, or semi trailer sold in
 31 lieu of a trade-in.

32 (B) Upon registration of the new or used motor vehicle, consumers
 33 claiming the deduction provided by § 26-53-126(b)(3)(A) shall provide a bill
 34 of sale signed by all parties to the transaction which reflects the total
 35 consideration paid to the seller for the vehicle. A copy of the bill of sale
 36 shall be deposited with the revenue office at the time of registration of the

1 new or used motor vehicle. The deduction provided by this section shall not be
2 allowed unless the taxpayer claiming the deduction provides a copy of a bill
3 of sale signed by all parties to the transaction which reflects the total
4 consideration paid to the seller for the vehicle.

5 (C) If the taxpayer claiming the deduction provided in this section
6 fails to provide a bill of sale signed by all parties to the transaction which
7 reflects the total consideration paid to the seller for the vehicle, tax shall
8 be due on the total consideration paid for the new or used vehicle, trailer or
9 semi trailer without any deduction for the value of the item sold.

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12 APPROVED: 3/23/2001
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