

1 State of Arkansas
2 94th General Assembly
3 Regular Session, 2023
4

A Bill

SENATE BILL 237

5 By: Senator A. Clark
6

For An Act To Be Entitled

8 AN ACT CONCERNING VEHICLES, BOATS, OR FARMING
9 EQUIPMENT WITH A REMOVED, DAMAGED, MUTILATED, OR
10 DEFACED SERIAL NUMBER OR VEHICLE IDENTIFICATION
11 NUMBER; AND FOR OTHER PURPOSES.
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Subtitle

14 CONCERNING VEHICLES, BOATS, OR FARMING
15 EQUIPMENT WITH A REMOVED, DAMAGED,
16 MUTILATED, OR DEFACED SERIAL NUMBER OR
17 VEHICLE IDENTIFICATION NUMBER.
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21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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23 SECTION 1. Arkansas Code § 5-37-521 is amended to read as follows:

24 5-37-521. Farm implements – Removal or alteration of serial number.

25 (a) ~~Any~~ A person who knowingly buys, receives, disposes of, sells,
26 offers for sale, or has in his or her possession any tractor, trailer, or
27 other farm implement, or engine removed from the tractor or farm implement,
28 from which the manufacturer's serial or engine number or other distinguishing
29 number or identification mark or number placed on the tractor, trailer, or
30 farm implement or engine has been removed, defaced, covered, altered, or
31 destroyed for the purpose of concealing or misrepresenting the identity of
32 the tractor, trailer, or farm implement or engine upon conviction is guilty
33 of a Class A ~~misdemeanor~~ D felony.

34 (b)(1) ~~No person with fraudulent intent shall~~ A person shall not
35 deface, destroy, or alter the manufacturer's serial or engine number or other
36 distinguishing number or identification mark of a tractor, trailer, or other



1 farm implement with the purpose to defraud another person.

2 (2) ~~No person~~ A person shall not place or stamp any fictitious
3 or unauthorized serial, engine, or other number or distinguishing mark with
4 the ~~intention~~ purpose that the fictitious or unauthorized serial, engine, or
5 other number or distinguishing mark pass for a number or mark placed on a
6 tractor, trailer, or farm implement by the manufacturer of the tractor,
7 trailer, or farm implement.

8 (3)(A) This subsection does not prohibit the restoration by an
9 owner or repairer of an original serial, engine, or other number or
10 distinguishing mark.

11 (B) However, this subsection is designed to prohibit and
12 prevent the fraudulent removal or alteration of a mark or number placed on a
13 tractor, trailer, or other farm implement by the manufacturer.

14 ~~(c) Any~~

15 ~~(4) A person found guilty of a violation of a provision of this~~
16 ~~section~~ this subsection is ~~guilty of a Class A misdemeanor~~ D felony.

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18 SECTION 2. Arkansas Code § 27-14-2210 is amended to read as follows:
19 27-14-2210. Vehicles or engines without manufacturer's numbers.

20 ~~(a) Any~~ A person who knowingly buys, receives, disposes of, sells,
21 offers for sale, or has in his or her possession ~~any~~ a motor vehicle or
22 engine removed from a motor vehicle from which the manufacturer's serial or
23 engine number or other distinguishing number or identification mark or number
24 placed thereon under assignment from the Office of Motor Vehicle has been
25 removed, defaced, covered, altered, or destroyed for the purpose of
26 concealing or misrepresenting the identity of the motor vehicle or engine
27 upon conviction is guilty of a ~~misdemeanor~~.

28 ~~(b) Any person who pleads guilty or nolo contendere to or is found~~
29 ~~guilty of a second or subsequent offense shall be guilty of a Class D felony.~~

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31 SECTION 3. Arkansas Code § 27-14-2212 is amended to read as follows:
32 27-14-2212. Mutilation of serial numbers.

33 (a)(1) ~~It shall be unlawful for any~~ A person, firm, or corporation ~~to~~
34 shall not have in its possession an automobile, automobile tires, or ~~gasoline~~
35 an engine, the motor ~~and serial number of which have been~~ number or serial
36 number of which have been mutilated to the extent that it cannot be read.

1 (2) When ~~any~~ an automobile, automobile tires, or an gasoline
2 engine has been stolen and recovered and the serial numbers found mutilated,
3 the court ~~where the case may be tried shall have power to~~ may authorize the
4 rightful owner of the automobile tires ~~or~~ and accessories to continue ~~the use~~
5 ~~of them~~ to use the automobile tires.

6 (3) The court shall also direct that the owner of the ~~car have~~
7 automobile have the original serial numbers restenciled on the engine, motor,
8 or ~~car~~ automobile.

9 (b) ~~Any person convicted of violating subsection (a) of this section~~
10 ~~shall be deemed guilty of a felony and punished by imprisonment in the~~
11 ~~Division of Correction for not less than one (1) year nor more than five (5)~~
12 ~~years~~ A person who violates this section upon conviction is guilty of a Class
13 D felony.

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15 SECTION 4. Arkansas Code § 27-101-703 is amended to read as follows:

16 27-101-703. Boating equipment without boating equipment identification
17 ~~numbers~~ number.

18 (a) ~~It is unlawful for a person to~~ A person shall not knowingly buy,
19 receive, dispose of, sell, offer for sale, or have in his or her possession
20 boating equipment on which the boat identification number has been removed,
21 defaced, covered, altered, or destroyed for the purpose of concealing or
22 misrepresenting the identity of the boating equipment.

23 (b)~~(1)~~ A person who pleads guilty or nolo contendere to or is found
24 guilty ~~of a violation under subsection (a) of this section is guilty of a~~
25 ~~Class A misdemeanor~~.

26 ~~(2) A person who pleads guilty or nolo contendere to or is found~~
27 ~~guilty of a second or subsequent offense under~~ of violating this section is
28 guilty of a Class D felony.

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APPROVED: 4/12/23

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