

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.

Act 945 of the Regular Session

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

As Engrossed: S3/31/09

A Bill

HOUSE BILL 2020

5 By: Representative Overbey  
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8 **For An Act To Be Entitled**

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

13 **Subtitle**

14 TO CLARIFY THE REQUIREMENTS FOR  
15 LICENSING AND REGISTERING A MOTOR  
16 VEHICLE.  
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19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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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,



1 association, partnership, or organization engaged in one (1) or more of the  
2 following:

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

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

6 (C) Construction;

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

9 (E) Agricultural operations.

10 (2)(A)(i) An entity that transacts or conducts business in  
11 Arkansas and has a place of business in Arkansas shall register a motor  
12 vehicle considered a pleasure vehicle under § 27-14-601(a)(1) that the entity  
13 owns and uses in its business operations in the state with the Office of  
14 Motor Vehicle of the Revenue Division of the Department of Finance and  
15 Administration within thirty (30) calendar days from the start of business in  
16 the state.

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

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

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

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

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

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

1 201(c).

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*/s/ Overbey*

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**APPROVED: 4/6/2009**

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