

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 263 of the Regular Session

1 State of Arkansas
2 88th General Assembly
3 Regular Session, 2011
4

A Bill

HOUSE BILL 1300

5 By: Representative Hyde
6

For An Act To Be Entitled

8 AN ACT TO PROVIDE AN EXEMPTION FOR RECREATIONAL
9 VEHICLE SPECIAL EVENTS TO ALLOW RECREATIONAL VEHICLE
10 DEALERS TO DISPLAY AND SELL RECREATIONAL VEHICLES AT
11 SPECIAL EVENTS THAT HAVE A SIGNIFICANT POSITIVE
12 ECONOMIC IMPACT ON AN AREA; AND FOR OTHER PURPOSES.
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Subtitle

15 TO PROVIDE AN EXEMPTION FOR RECREATIONAL
16 VEHICLE SPECIAL EVENTS.
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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 Title 23, Chapter 112, is amended to add an
23 additional subchapter to read as follows:

Subchapter 9

- Recreational Vehicle Special Events

23-112-901. Findings.

The General Assembly finds that:

29 (1) A recreational vehicle special event sponsored by a city, county,
30 nonprofit entity, or recreational vehicle owners' organization draws people
31 from all over the state and other states;

32 (2) A recreational vehicle special event can provide a valuable
33 increase in tourism for the state; and

34 (3) The laws and rules related to the display and sale of recreational
35 vehicles at a recreational vehicle special event must be modified to lessen
36 the restrictions that are hampering economic growth.



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2 23-112-902. Definitions.

3 As used in this subchapter:

4 (1) "Nonprofit entity" means an entity that has received tax
5 exempt status from the Internal Revenue Service under section 501(c)(3) or
6 section (501)(c)(4) of the Internal Revenue Code of 1986, as it existed on
7 January 1, 2011;

8 (2) "Public venue" means a location that:

9 (A) Is open to the general public; and

10 (B) Is not the address designated as the primary business
11 address of a new motor vehicle dealer licensed by the Arkansas Motor Vehicle
12 Commission or a used motor vehicle dealer licensed by the Department of
13 Arkansas State Police;

14 (3) "Recreational vehicle owners' organization" means an entity
15 that is organized as a nonprofit entity or for-profit entity and in good
16 standing with the Secretary of State;

17 (4) "Recreational vehicle special event" means an event held at
18 a public venue with or without an admission fee that:

19 (A) Is sponsored by a city, a county, a nonprofit entity,
20 or a recreational vehicle owners' organization;

21 (B) Occurs for no more than seven (7) consecutive days;
22 and

23 (C) Includes any of the following that are invited to
24 attend:

25 (i) New recreational vehicle dealers to display and
26 sell recreational vehicles; or

27 (ii) New recreational vehicle manufacturers or
28 distributors to display recreational vehicles; and

29 (5) "Significant positive economic impact" means an economic
30 benefit of at least two million dollars (\$2,000,000) to the state or a region
31 of the state.

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33 23-112-903. Statements of estimated positive economic impact.

34 A statement of the estimated positive economic impact of a proposed
35 recreational vehicle special event shall be submitted to the Arkansas Motor
36 Vehicle Commission from an independent source such as a university, chamber

1 of commerce, or other entity that regularly engages in the estimation of the
2 economic benefit of an occurrence for businesses and industries.

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4 23-112-904. Significant positive economic impact determinations.

5 (a) If the statement of estimated positive economic impact that is
6 submitted to the Arkansas Motor Vehicle Commission establishes that a
7 recreational vehicle special event has a significant positive economic
8 impact, the recreational vehicle special event is exempt from regulation by
9 the commission as provided under § 23-112-905.

10 (b) If the statement of estimated positive economic impact that is
11 presented to the commission establishes that a recreational vehicle special
12 event will not have a significant positive economic impact, then the
13 commission shall determine whether the recreational vehicle special event is
14 exempt from this chapter and any rules promulgated by the commission.

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16 23-112-905. Authority to waive relevant market area and rules.

17 (a) The Arkansas Motor Vehicle Commission shall waive the following
18 for a recreational vehicle special event that has a significant positive
19 economic impact or is determined by the commission to otherwise qualify for
20 an exemption under § 23-112-904(b) if no franchised motor vehicle dealer of a
21 licensed manufacturer is represented in the host county of the recreational
22 vehicle special event or the counties contiguous to the host county:

23 (1) The provisions of this chapter regarding relevant market
24 area; and

25 (2) The rules regarding motor vehicle dealers in contiguous
26 counties.

27 (b)(1) The commission may promulgate rules for the issuance of a
28 temporary permit to out-of-state motor vehicle dealers and manufacturers to
29 participate in a recreational vehicle special event under this subchapter.

30 (2) The commission shall not promulgate a rule that puts a
31 greater burden on out-of-state motor vehicle dealers and manufacturers to
32 obtain a temporary permit than the requirements necessary for a motor vehicle
33 dealer or manufacturer to obtain a license from the commission.

34 (3) If the commission establishes fees for a temporary permit
35 under this subsection, the fees shall not exceed:

36 (A) For an out-of-state motor vehicle dealer, one hundred

1 dollars (\$100);

2 (B) For a manufacturer or distributor, two hundred fifty

3 dollars (\$250);

4 (C) For an out-of-state salesperson, fifteen dollars

5 (\$15.00); and

6 (D) For a factory representative or distributor

7 representative, fifty dollars (\$50.00).

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10 **APPROVED: 03/10/2011**

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