

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

A Bill

SENATE BILL 842

5 By: Senator A. Clark
6
7

For An Act To Be Entitled

9 AN ACT TO EXTEND THE AUTHORITY TO COUNTIES TO
10 REGULATE THE MANNER A PROPERTY OWNER OR OTHER PERSON
11 CONTROLLING THE PROPERTY REMOVES A VEHICLE,
12 IMPLEMENT, OR PIECE OF MACHINERY; TO MAKE TECHNICAL
13 CORRECTIONS; AND FOR OTHER PURPOSES.
14

Subtitle

15
16 TO EXTEND THE AUTHORITY TO COUNTIES TO
17 REGULATE THE MANNER A PROPERTY OWNER OR
18 OTHER PERSON CONTROLLING THE PROPERTY
19 REMOVES A VEHICLE, IMPLEMENT, OR PIECE OF
20 MACHINERY.
21
22
23

24 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
25

26 SECTION 1. Arkansas Code § 27-50-1101(a)(1)(B)(i), concerning
27 nonconsensual towing of a vehicle, implement, or piece of machinery, is
28 amended to read as follows:

29 (B)(i) A county, city of the first class, city of the
30 second class, or incorporated town by ordinance may regulate the manner that
31 a property owner or other person controlling the property removes a vehicle,
32 implement, or piece of machinery:
33

34 SECTION 2. Arkansas Code § 27-50-1101(a)(1)(B)(i)(a)(2), concerning
35 nonconsensual towing of a vehicle, implement, or piece of machinery, is
36 amended to read as follows:



1 (2) The amount of towing and storage
2 charges, including the towing charge, the storage charge, the administrative
3 fee, and any other fee that may be charged, to be assessed against the owner
4 or operator of the vehicle, implement, or piece of machinery removed from the
5 property, with the difference between the charges allowed by the county,
6 city, or incorporated town and the actual towing and storage charges to be
7 assessed to the property owner or other person controlling the property that
8 requested the removal of the vehicle; and

9
10 SECTION 3. Arkansas Code § 27-50-1101(a)(3)(C)(i), concerning
11 nonconsensual towing of a vehicle, implement, or piece of machinery, is
12 amended to read as follows:

13 (i) Notwithstanding any provision of law to the
14 contrary and to the extent that the county, city of the first class, city of
15 the second class, or incorporated town enacted an ordinance that limits the
16 amount of towing and storage charges assessed against the owner or operator
17 of the vehicle, implement, or piece of machinery, the towing and storage
18 company shall have a first priority possessory lien limited to the amount
19 allowed under the ordinance.

20
21 SECTION 4. Arkansas Code § 27-50-1101(b), concerning nonconsensual
22 towing of a vehicle, implement, or piece of machinery, is amended to read as
23 follows:

24 (b) A county or city attorney may refer a possible violation of this
25 section or an ordinance enacted under this section to the Arkansas Towing and
26 Recovery Board for investigation.

27
28
29 **APPROVED: 04/18/2013**