

ARKANSAS SENATE  
88th General Assembly - Regular Session, 2011  
**Amendment Form**

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**Subtitle of Senate Bill No. 954**

TO AMEND THE LAW CONCERNING THE ARKANSAS TOWING AND RECOVERY BOARD,  
POSSESSORY LIENS ON MOTOR VEHICLES RELATED TO TOWING AND STORAGE, AND  
FORECLOSURE OF POSSESSORY LIENS ON MOTOR VEHICLES RELATED TO TOWING AND  
STORAGE.

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**Amendment No. 1 to Senate Bill No. 954**

Amend Senate Bill No. 954 as originally introduced:

Delete everything after the enacting clause and substitute:

"SECTION 1. Arkansas Code § 27-50-1203(a)(2), concerning the creation and composition of the Arkansas Towing and Recovery Board, is amended to read as follows:

(2)(A) ~~Four (4)~~ Two (2) members shall be appointed from the state at-large from the towing industry and shall be licensed by the board to engage in nonconsent towing, ~~with one (1) each of the members being a resident of each of the four (4) congressional districts.~~

(B) Two (2) members who are permitted to engage in the consent-only business shall be appointed from the state at large.

(C) ~~Two (2)~~ Three (3) members who are not and have not been associated with the towing industry shall be appointed from the state at large.

(D) ~~One (1) member~~ Two (2) members shall be appointed from the insurance industry.

SECTION 2. Arkansas Code § 27-50-1208(d)(1), concerning possessory liens and notice to owners and lienholders of motor vehicles that have been removed, is amended to read as follows:

(d)(1)(A) If within forty-eight (48) hours the ownership and lienholder information has not been received from the law enforcement agency requesting the removal of a vehicle pursuant to this subchapter, the towing and storage firm shall obtain information concerning the last known registered owner or owners and lienholder or lienholders as provided from the records of the:

~~(A)(i)~~ Office of Motor Vehicle;

~~(B)(ii)~~ Arkansas Crime Information Center; or



~~(C)(iii)~~ If known, motor vehicle records of any other state where the vehicle's registration indicates the name and address of the last registered owner and the name and address of the holder of any recorded lien, if any, on the vehicle.

(B) If the owner or a registered lienholder cannot be determined, the towing and storage firm shall register the vehicle with the National Insurance Crime Bureau.

SECTION 3. Arkansas Code § 27-50-1209(e), regarding foreclosure of liens on removed vehicles, is amended to read as follows:

(e)(1) Notice of the sale shall be sent at least fifteen (15) days before the date of the sale by certified mail, ~~no~~ return receipt requested, to the registered owner and lienholder, if any.

(2) If the data records of the Office of Motor Vehicle or the office of motor vehicles for the state where the vehicle is registered do not contain any information as to the last known registered owner or owners or lienholders, ~~the notice required under subdivision (e)(1) of this section is not required~~ the towing and storage firm shall register the vehicle with the National Insurance Crime Bureau.

(3) ~~Nothing in this subsection removes~~ This subsection does not remove the requirement of notice of sale by publication under subsection (f) of this section."

The Amendment was read the first time, rules suspended and read the second time and \_\_\_\_\_

By: Senator B. Sample  
JSE/JSE - 03/08/11 12:45  
JSE255

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Secretary