

# Department of Finance and Administration

## Legislative Impact Statement

**Bill: HB1683**

**Bill Subtitle: TO ESTABLISH A MILEAGE AUDIT APPEAL PROCEDURE FOR REGISTRANTS WHO HAVE RECEIVED APPORTIONED REGISTRATION UNDER THE INTERNATIONAL REGISTRATION PLAN.**

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### **Basic Change :**

**Sponsor: Rep. Jett**

The State of Arkansas has entered into a reciprocity agreement known as the International Registration Plan (IRP). The IRP is a registration reciprocity agreement among states of the United States, the District of Columbia, and provinces of Canada providing for payment of apportionable fees on the basis of total distance operated in all jurisdictions. Arkansas is both a member jurisdiction and a base jurisdiction under the IRP. As such, it is required to perform mileage audits and record reexaminations of the registrants to whom it has issued apportioned vehicle registration. In addition, it is also required to provide registrants with a mechanism to appeal audit and record reexamination findings.

HB1683 clarifies Arkansas law that registrants may utilize the provisions of the Arkansas Administrative Procedure Act (APA) to appeal mileage audit and reexamination findings and to set forth specific requirements for the filing of such appeals. Under this bill, a registrant may administratively appeal the audit or reexamination findings by requesting a hearing under the APA within 30 days of the date of receipt of notice of audit or reexamination findings. DFA will appoint a hearing officer to hold a hearing and issue a decision in response to the registrant's appeal. The registrant may file a circuit court appeal of an unfavorable decision of the hearing officer within 30 days of the date of its receipt of the decision. The registrant may appeal an unfavorable decision of the circuit court under state laws governing appeals. HB1683 does not contain an emergency clause.

### **Revenue Impact :**

None.

### **Taxpayer Impact :**

Unknown number of complaints may cause additional time restraints for legal review and departmental responses.

### **Resources Required :**

None.

### **Time Required :**

Adequate time provided for implementation.

### **Procedural Changes :**

None.

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**Other Comments :**

None.

**Legal Analysis :**

None.