

Occupational Authorizations

for the meeting of the
ALC-OCCUPATIONAL LICENSING REVIEW SUBCOMMITTEE
Monday, January 13, 2020 at 1:30 PM

Arkansas Motor Vehicle Commission

NEW RECREATIONAL VEHICLE DEALER

Authorization Type: Licensure # of Individuals Regulated:

Entity Division Name: Division of Occupational and Professional licensing Boards and Commissions/Department of Labor and Licensing

Scope of Practice: Sales of new recreational vehicles. Ark. Code Ann. § 23-112-1004(c)(1)(A) states a person shall not engage in the business of buying, selling, or exchanging new recreational vehicles, unless the person holds a valid license issued by the AMVC for the make of recreational vehicles being bought, sold, or exchanged.

Statutory Requirement(s): A.C.A. Title 23, Subtitle 4, Ch.112 Subchapter 10 License and Regulations. Subchapter 10 states that a license is required for the sale of new recreational vehicles in Arkansas. It sets out the requirements for the issuance of a license, expiration and revocation of license and penalty that can be assessed if licensee does not comply with the Act and Rules of the Motor Vehicle Commission

Pursuant to Arkansas Code § 17-1-106, do you provide automatic licensure to an active military service member, returning military veteran applying for licensure within one year of his or her discharge from active duty, or the spouse of an active military service member or returning military veteran who is within one year of discharge from active duty?

If NO, the rule establishing the expedited process and procedure:

- [Rule for Expedited Process and Procedure for Military Service Member or Spouse](#)

Fees & Penalties

Fee Type	Fee Description	Amount (\$)	Frequency
Fee	License Fee for New Recreational Vehicle Dealer	\$100.00	Annually
Penalty	Fee for Late Payment of License Fee	\$50.00	Once

Administrative Rules Documents

Document Type	Document
Rules	Easy Rules Index.docx

Supporting Evidence Documents

No Supporting Evidence Documents Provided

NEW MOTOR VEHICLE LESSOR

Authorization Type: Licensure # of Individuals Regulated:

Entity Division Name: Division of Occupational and Professional Licensing Boards and Commissions/Department of Labor and Licensing

Scope of Practice: Leasing of Motor Vehicles. Ark. Code Ann.§23-112-301(c)(2)(3)(4) states

(2) A motor vehicle lessor shall be required to obtain only one (1) motor vehicle lessors license, regardless of the number of leasing locations he or she owns and operates but shall list each location on his or her application and pay a fee of fifty dollars (\$50.00) for each location.

(3) New lease locations opened after a license is issued shall be approved by the Arkansas Motor Vehicle Commission but shall not require a new license.

(4) A motor vehicle lessor shall sell or offer for sale motor vehicles only from an established place of business and only after application to, approval of, and licensure at each location by the commission.

Statutory Requirement(s): A.C.A. Title 23, Subtitle 4, Ch. 112 Subchapter 3 License and Regulation. Subchapter 3 states that a license is required for the lease of motor vehicles in Arkansas. It sets out the requirements for the issuance of a license, expiration and revocation of a license and penalty that can be assessed if the licensee does not comply with the Act and Rules of the Motor Vehicle Commission.

Pursuant to Arkansas Code § 17-1-106, do you provide automatic licensure to an active military service member, returning military veteran applying for licensure within one year of his or her discharge from active duty, or the spouse of an active military service member or returning military veteran who is within one year of discharge from active duty?

If NO, the rule establishing the expedited process and procedure:

- [Rule for Expedited Process and Procedure for Military Service Member or Spouse](#)

Fees & Penalties			
Fee Type	Fee Description	Amount (\$)	Frequency
Fee	License Fee for New Motor Vehicle Lessor	\$100.00	Annually
Penalty	Fee for late payment of license fee.	\$50.00	Once

Administrative Rules Documents	
Document Type	Document
Rules	AMVC_Rules1-9.doc

Supporting Evidence Documents

No Supporting Evidence Documents Provided

NEW MOTOR VEHICLE MANAGEMENT/FINANCIER/SALESPERSON

Authorization Type: Licensure # of Individuals Regulated:

Entity Division Name: Division of Occupational and Professional Licensing Boards and Commissions/Department of Labor and Licensing

Scope of Practice: Ark Code Ann § 23-112-103 (23)(A)(B)(C)(D) Motor Vehicle Salesperson .
(23) "Motor vehicle salesperson" means any person who:

(A) Is employed as a salesperson by a motor vehicle dealer whose duties include the selling or offering for sale of motor vehicles;

(B) For compensation of any kind, acts as a salesperson, agent, or representative of a motor vehicle dealer;

(C) Attempts to or in fact negotiates a sale of a motor vehicle owned partially or entirely by a motor vehicle dealer; and

(D) Uses the financial resources, line of credit, or floor plan of a motor vehicle dealer to purchase, sell, or exchange any interest in a motor vehicle;

Statutory Requirement(s): A.C.A. Title 23, Subtitle 4, Ch. 112 Subchapter 3 License and Regulation. Subchapter 3 states that a license is required for any person to engage in the business of selling new motor vehicles in Arkansas. It sets out the requirements for the issuance of a license, expiration and revocation of a license and penalty that can be assessed if the licensee does not comply with the Act and Rules of the Motor Vehicle Commission.

Pursuant to Arkansas Code § 17-1-106, do you provide automatic licensure to an active military service member, returning military veteran applying for licensure within one year of his or her discharge from active duty, or the spouse of an active military service member or returning military veteran who is within one year of discharge from active duty?

If NO, the rule establishing the expedited process and procedure:

- [Rule for Expedited Process and Procedure for Military Service Member or Spouse](#)

Fees & Penalties			
Fee Type	Fee Description	Amount (\$)	Frequency
Fee	License Fee for New Motor Vehicle Management/Financier/Salesperson	\$15.00	Annually
Penalty	Fee for Late Payment of License Fee	\$7.50	Once

Administrative Rules Documents	
Document Type	Document
Rules	Easy Rules Index.docx

Supporting Evidence Documents

No Supporting Evidence Documents Provided

Arkansas Motor Vehicle Commission (Continued)**NEW MOTOR VEHICLE MANUFACTURER, DISTRIBUTOR, OR BRANCH**

Authorization Type: Licensure # of Individuals Regulated:

Entity Division Name: Division of Occupational and Professional Licensing Boards and Commissions/Department of Labor and Licensing

Scope of Practice: Sales and distribution of new Motor Vehicles. Ark. Code Ann § 23-112-301 (d)1(A) states no person may engage in the business of buying, selling, or exchanging motor vehicles, unless he or she holds a valid license issued by the commission for the makes of motor vehicles being bought, sold, or exchanged.

Statutory Requirement(s): A.C.A. Title 23, Subtitle 4, Ch. 112 Subchapter 3 License and Regulation. Subchapter 3 states that a license is required for the sale or distribution of a new motor vehicles in Arkansas. It sets out the requirements for the issuance of a license, expiration and revocation of a license and penalty that can be accessed if the licensee does not comply with the Act and Rules of the Motor Vehicle Commission.

Pursuant to Arkansas Code § 17-1-106, do you provide automatic licensure to an active military service member, returning military veteran applying for licensure within one year of his or her discharge from active duty, or the spouse of an active military service member or returning military veteran who is within one year of discharge from active duty?

If NO, the rule establishing the expedited process and procedure:

- [Rule for Expedited Process and Procedure for Military Service Member or Spouse](#)

Fees & Penalties

Fee Type	Fee Description	Amount (\$)	Frequency
Fee	License Fee for New Motor Vehicle Manufacturer, Distributor, or Branch	\$900.00	Annually
Penalty	Fee for Late Payment of License Fee	\$450.00	Once

Administrative Rules Documents

Document Type	Document
Rules	Easy Rules Index.docx

Supporting Evidence Documents

No Supporting Evidence Documents Provided

NEW MOTOR VEHICLE MANUFACTURER/DISTRIBUTOR REPRESENTATIVE

Authorization Type: Licensure # of Individuals Regulated:

Entity Division Name: Division of Occupational and Professional Licensing Boards and Commissions/Department of Labor and Licensing

Scope of Practice: Ark Code Ann. § 23-112-103

(11) "Distributor representative" means a representative similarly employed by a distributor or distributor branch;

(13)(A)(B)

(13) "Factory representative" means a representative employed by a:

(A) Person, firm, association, corporation, or trust that manufactures or assembles new motor vehicles; or

(B) Factory branch, for the purpose of making or promoting the sale of its new motor vehicles or for supervising or contacting its dealers or prospective dealers;

Statutory Requirement(s): A.C.A. Title 23, Subtitle 4, Ch 112 Subchapter 3 License and Regulation. Subchapter 3 states that a license is required for any person to engage in the business of representing Manufacturers (Factory) or Distributors of new motor vehicles in Arkansas. It sets out the requirements for the issuance of a license, expiration and revocation of a license and penalty that can be assessed if the license does not comply with the Act and Rules of the Motor Vehicle Commission.

Pursuant to Arkansas Code § 17-1-106, do you provide automatic licensure to an active military service member, returning military veteran applying for licensure within one year of his or her discharge from active duty, or the spouse of an active military service member or returning military veteran who is within one year of discharge from active duty?

If NO, the rule establishing the expedited process and procedure:

- [Rule for Expedited Process and Procedure for Military Service Member or Spouse](#)

Fees & Penalties

Fee Type	Fee Description	Amount (\$)	Frequency
Fee	License Fee for New Motor Vehicle Manufacturer/Distributor Representative	\$400.00	Annually
Penalty	Fee for Late Payment of License Fee	\$200.00	Once

Administrative Rules Documents

Document Type	Document
Rules	Easy_Rules_Index.docx

Supporting Evidence Documents

No Supporting Evidence Documents Provided

NEW RECREATIONAL VEHICLE MANAGEMENT/FINANCIER/SALESPERSON

Authorization Type: Licensure # of Individuals Regulated:

Entity Division Name: Division of Occupational and Professional Licensing Boards and Commissions/Department of Labor and Licensing

Scope of Practice: Ark Code Ann§23-112-1003(16)(A)(B)(C)(D)
 (16) "Recreational vehicle salesperson" means a person who:

(A) Is employed by a dealer as a salesperson whose duties include the selling or offering for sale of recreational vehicles;

(B) For compensation of any kind acts as a salesperson, agent, or representative of a dealer;

(C) Attempts to or in fact negotiates a sale of a recreational vehicle owned partially or entirely by a dealer; and

(D) Uses the financial resources, line of credit, or floor plan of a dealer to purchase, sell, or exchange an interest in a recreational vehicle;

Statutory Requirement(s): A.C.A. Title 23, Subtitle 4, Ch. 112 Subchapter 10 License and Regulation. Subchapter 10 states that a license is required for any person to engage in the business of selling new recreational vehicles in Arkansas. It sets out the requirements for the issuance of a license, expiration and revocation of a license and penalty that can be assessed if the license does not comply with the Acts and Rules of the Motor Vehicle Commission.

Pursuant to Arkansas Code § 17-1-106, do you provide automatic licensure to an active military service member, returning military veteran applying for licensure within one year of his or her discharge from active duty, or the spouse of an active military service member or returning military veteran who is within one year of discharge from active duty?

If NO, the rule establishing the expedited process and procedure:

- [Rule for Expedited Process and Procedure for Military Service Member or Spouse](#)

Fees & Penalties

Fee Type	Fee Description	Amount (\$)	Frequency
Fee	License Fee for New Recreational Vehicle Management/Financier/Salesperson	\$15.00	Annually
Penalty	Fee for Late Payment of License Fee	\$7.50	Once

Administrative Rules Documents

Document Type	Document
Rules	Easy Rules Index.docx

Supporting Evidence Documents

No Supporting Evidence Documents Provided

Arkansas Motor Vehicle Commission (Continued)**NEW RECREATIONAL VEHICLE MANUFACTURER/DISTRIBUTOR REPRESENTATIVE**

Authorization Type: Licensure # of Individuals Regulated:

Entity Division Name: Division of Occupational and Professional Licensing Boards and Commissions/Department of Labor and Licensing

Scope of Practice: Ark Code Ann§23-112-1003(6)Factory representative.

(6) "Factory representative" means a representative employed by a person, firm, association, corporation, or trust that manufactures, assembles, or distributes new recreational vehicles;

Statutory Requirement(s): A.C.A. Title 23, Subtitle 4, Ch. 112 Subchapter 10 License and Regulation. Subchapter 10 states that a license is required for any person to engage in the business of representing Manufacturers (Factory) or Distributors of new recreational vehicles in Arkansas. It sets out the requirements for the issuance of a license, expiration and revocation of a license and penalty that can be assessed if the license does not comply with the Acts and Rules of the Motor Vehicle Commission.

Pursuant to Arkansas Code § 17-1-106, do you provide automatic licensure to an active military service member, returning military veteran applying for licensure within one year of his or her discharge from active duty, or the spouse of an active military service member or returning military veteran who is within one year of discharge from active duty?

If NO, the rule establishing the expedited process and procedure:

- [Rule for Expedited Process and Procedure for Military Service Member or Spouse](#)

Fees & Penalties

Fee Type	Fee Description	Amount (\$)	Frequency
Fee	License Fee for New Recreational Vehicle Manufacturer/Distributor Represenaitive	\$400.00	Annually
Penalty	Fee for Late Payment of License Fee	\$200.00	Once

Administrative Rules Documents

Document Type	Document
Rules	Easy_Rules_Index.docx

Supporting Evidence Documents

No Supporting Evidence Documents Provided