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October 19, 2012

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Re: Arkansas Code Title 27, Subtitle 2, Chapter 15, Subchapter 22 - Historical or Special Interest Vehicles.

Paragraph 27-15-2203 states "..... The motor vehicle is restored to its original specifications as closely as reasonable possible ...".

The "AFFIDAVIT", 27-15-2003 (ADC-CDC-1948) "License for Antique Vehicle" states '*I understand "Original specifications" to mean the same type engine, wheels, exhaust system, tire size, upholstery, exterior body and ornaments, bumpers, wheel or dust covers, dash instruments, springs, front axles or suspension system, rear differential, steering system, electrical system, transmission, interior and exterior paints, cooling systems, and accessories as were available for the vehicle at its manufacture date.*'

It is obvious that the managers and staff manning the individual "Tag Offices" have NOT been properly trained. The number of street rods, hot rods, rat rods, custom cars, old work trucks and others illegally displaying an Antique Vehicle tag is overwhelming.

Several individuals have told me that when asking the DMV clerk for a "Street Rod" tag (costing a one time \$50 fee and \$25 annual renewal fee) were told "Why not get an 'Antique Vehicle' tag - it's a one time fee of only \$7.00". What would you do? Less than 100 Street Rod tags have been issued.

An individual with whom I am acquainted had the State Police come to his home, less than 2 years ago, inspect his 1925 Ford Model T Coupe that was under construction, on a custom frame, with a Chevrolet motor, dual exhaust, custom body work, custom paint, custom wiring, riding on special suspension and custom wheels and tires. He was issued an "Antique Vehicle" tag. His comment to me was "That's what they gave me so it must be legal".

Any car show will have approximately 90% of the vehicles using an "Antique Vehicle" tag. At least half of those will NOT be a true antique vehicle.

The D.M.V. clerks do NOT ask the applicants if their vehicle is completely original. They do NOT ask if it was recently built. They do NOT ask if the vehicle was assembled from parts and is therefore NOT an antique as noted in paragraph 27-15-2202 (d) (1). A 1929 Mercedes Benz "kit car" built in 2005 is displaying an "Antique Vehicle" tag instead of a "Street Rod" tag.

If 90% of the approximately 85,000 "Antique Vehicle" tags issued at \$7.00 each were converted to either "Street Rod" tags or a regular vehicle tag at a nominal fee of \$25.00 each it would add \$1,377,000.00 (76,500 x \$18.00) to the State Treasury ANNUALLY! Of course, no one knows how many of those Antique Vehicle tags are still in use. Does that make sense?

Arkansas Code Title 15, Subtitle 2, Chapter 15, Subchapter 22 - Historical or Special Interest Vehicles

I suggest that you IMMEDIATELY:

1. Update the "Affidavit" to reflect the current Code.
2. Implement training procedures to assure that the D.M.V. Managers & Clerks ask applicants the questions on the Affidavit and distinguish a Street Rod from an Antique Vehicle and issue the proper tag.
3. Ask the Arkansas Highway Patrol, State Police, the individual County Sheriffs and the individual city Police Departments to be aware of these laws and ask that they implement the seizure of "Antique Vehicle" tags being illegally displayed. As stated in the Code, the fine is \$100 and a citation should be issued. (Note: since the Affidavit has not been recently revised it erroneously states the fine is \$37.50 and wants the applicants signature "Notarized".)

The Committee may wish to question Mr. Roger Duren about this problem and suggest that he implement actions immediately to rectify the situation. Surely the Committee can find a use for an additional \$1,000,000 annually.

I have elected to remain anonymous because of probable retaliation by the Hot Rod community which has been joyous for many years to only pay \$7.00 one time instead of the annual \$25.00 renewal . A TRUE Antique Vehicle should be recognized as something special and not be confused with a vehicle recently built.

Please note that NO CHANGES are needed to the Code other than the legislature should see that it is enforced.

I expect to see actions very soon.

Sincerely,

An Antique Vehicle Owner

Attachments: Arkansas Code Title 27, Subtitle 2, Chapter 15, Subchapter 22
AFFIDAVIT, 27-15-2003 (ADC-CDC-1948)
Subchapter 15, Street Rod Special License Plates
AFFIDAIT FOR ISSUANCE OF A SPECIAL STREET ROD OR CUSTOM VEHICLE LICENSE PLATE 10-314

27-15-1901 — 27-15-1906. [Repealed.]

27-15-1901 — 27-15-1906. [Repealed.]

Subchapter 20
— Youth Groups [Repealed]

27-15-2001 — 27-15-2003. [Repealed.]

27-15-2001 — 27-15-2003. [Repealed.]

Subchapter 21
— Orphanages [Repealed]

27-15-2101. [Repealed.]

27-15-2101. [Repealed.]

Subchapter 22
— Historical or Special Interest Vehicles

27-15-2201. Definitions.

27-15-2202. Registration — Fee.

27-15-2203. Affidavit — Vehicle restored to original specifications required.

27-15-2204. Assemblage of vehicle.

27-15-2205. Equipment.

27-15-2206. Limitations on use.

27-15-2207. Storage regulation.

27-15-2208. Sale or transfer.

27-15-2209. Alternative license plates for antique motor vehicles.

27-15-2201. Definitions.

As used in this subchapter:

(1) “Collector” means the owner of one (1) or more motor vehicles of historic or special interest who collects, purchases, acquires, trades, or disposes of those vehicles, or parts thereof, for his or her own use in order to preserve, restore, and maintain a vehicle or vehicles for hobby purposes;

(2) (A) “Historic or special interest vehicle” means a vehicle of age which is essentially unaltered from the original manufacturer’s specifications and which, because of its significance, is being collected, preserved, restored, or maintained by a hobbyist as a leisure pursuit.

(B) “Historic or special interest vehicle” shall include a vehicle sometimes referred to by the classifications of antique, horseless carriage, classic, or action era.

(C) (i) Vehicles with modifications or deviations from the original specifications may be permitted under this classification if the modifications or deviations are of historic nature and characteristic of the approximate era to which the vehicles belong or if they could be considered to be in the category of safety features.

(ii) Safety-related modifications include hydraulic brakes, sealbeam headlights, and seat belts.

(iii) Accessories acceptable under such classifications are those available in the era to which the vehicles belong; and

(3) "Parts car" means a motor vehicle generally in nonoperable condition which is owned by a collector to furnish parts that are usually not obtainable from normal sources, thus enabling a collector to preserve, restore, and maintain a vehicle of historic or special interest.

History. Acts 1975, No. 334, § 1; A.S.A. 1947, § 75-201.8; Acts 2005, No. 2202, § 2.

27-15-2202. Registration — Fee.

(a) (1) Any person who is the owner of an historic or special interest vehicle that is twenty-five (25) years of age or older at the time of making application for registration or transfer of title may, upon application, register it as an historic or special interest vehicle, upon the payment of a fee of seven dollars (\$7.00) for each vehicle, and be furnished a license plate of distinctive design to be displayed on each vehicle in lieu of the usual license plate.

(2) This plate shall have the same legal significance as an ordinary license plate.

(3) In addition to the identification number, this plate shall identify the vehicle as an historic or antique vehicle owned by an Arkansas collector.

(4) The registration shall be valid while the vehicle is owned by the applicant without the payment of any additional fee, tax, or license.

(b) (1) The numbering of these plates shall continue chronologically from the existing antique automobile registration lists, using the current design and emblem.

(2) Application for these plates shall be made to the Office of Motor Vehicle on special application forms prescribed by the Commissioner of Motor Vehicles.

(c) Upon selling or otherwise relinquishing ownership of an historic or special interest vehicle, a collector may retain possession of the vehicle plate and transfer its registration to another vehicle of the same category in his or her possession, upon payment of one-half (½) the fee prescribed in subsection (a) of this section.

(d) (1) A vehicle manufactured as a reproduction or facsimile of an historic or special interest vehicle shall not be eligible for registration under this section unless it has been in existence for twenty-five (25) years or more.

(2) The age shall be calculated from the date the vehicle was originally assembled as a facsimile.

(e) Collectors who, on July 8, 1975, have vehicles licensed as antiques under current statutes shall not be required to register these vehicles or obtain new license plates for these vehicles.

(f) Beginning on January 1, 2006, each collector applying for a license plate under this subchapter shall own and have registered one (1) or more motor vehicles that he or she uses for regular transportation.

History. Acts 1975, No. 334, § 2; 1979, No. 440, § 2; A.S.A. 1947, § 75-201.9; Acts 1999, No. 102, § 1; 2005, No. 2202, § 2; 2005, No. 2324, § 1.

27-15-2203. Affidavit — Vehicle restored to original specifications required.

(a) Any person making application for an antique motor vehicle license plate under § 27-15-2202 shall transmit to the Office of Motor Vehicle an affidavit signed by the applicant stating that the motor vehicle described in the application is restored to its original specifications as closely as is reasonably possible and that the applicant will relinquish the antique motor vehicle license plate in the event that the motor vehicle is altered from its original specifications, except to the extent authorized or required by law.

(b) (1) Beginning on January 1, 2006, the office shall require the owner of any antique motor vehicle licensed under this subchapter to provide the office proof of conformity with this subchapter.

(2) If the office determines that the owner of such an antique motor vehicle is in violation of this section, the antique motor vehicle license plate shall be seized by the office and the owner fined one hundred dollars (\$100).

History. Acts 1983, No. 897, §§ 1, 2; A.S.A. 1947, §§ 75-201.9a, 75-201.9b; Acts 2005, No. 2202, § 2; 2005, No. 2324, § 2.

27-15-2204. Assemblage of vehicle.

(a) (1) A collector who has assembled a vehicle meeting the specifications of this subchapter from parts obtained from a variety of different sources and at various different times shall be issued a title upon furnishing a bill or bills of sale for the components.

(2) In cases when that evidence by itself is deemed inadequate, the collector shall execute an affidavit in verification.

(b) To be considered adequate, bills of sale shall be notarized and shall indicate the source of the engine and body and shall list the identification or serial number of the engine and body for the chassis, if applicable.

History. Acts 1975, No. 334, § 6; A.S.A. 1947, § 75-201.13; Acts 2005, No. 2202, § 2.

27-15-2205. Equipment.

(a) Unless the presence of equipment specifically named by Arkansas law was a prior condition for legal sale within Arkansas at the time the historic or special interest vehicle was manufactured for first use, the presence of such equipment shall not be required as a condition for current legal use.

(b) Any motor vehicle of historic or special interest manufactured prior to the date that emission controls were standard equipment on that particular make or model of vehicle is exempted from statutes requiring the inspection and use of emission controls.

(c) Any safety equipment that was manufactured as part of the vehicle's original equipment must be in proper operating condition.

History. Acts 1975, No. 334, § 5; A.S.A. 1947, § 75-201.12; Acts 2005, No. 2202, § 2.

27-15-2206. Limitations on use.

(a) (1) Historic or special interest vehicles may be used for the same purposes and under the same conditions as other motor vehicles of the same type except that, under ordinary circumstances, such vehicles may not be used to transport passengers for hire.

(2) At special events that are sponsored or in which participation is by organized clubs, the vehicles may transport passengers for hire only if money received is to be used for club activities or to be donated to a charitable nonprofit organization.

(b) Trucks of such classification may not haul material more than one thousand pounds (1,000 lbs.) nor be used regularly in a business in lieu of other vehicles with regular license plates.

History. Acts 1975, No. 334, § 3; A.S.A. 1947, § 75-201.10; Acts 2005, No. 2202, § 2.

27-15-2207. Storage regulation.

Subject to land use regulations of a county or municipality, a collector may store any vehicles, licensed or unlicensed, operable or inoperable, on his or her property if:

(1) The vehicles, parts cars, and any outdoor storage areas are maintained in such a manner that they do not constitute a health hazard; and

(2) The vehicles are located away from ordinary public view or are screened from ordinary public view by means of natural objects, fences, plantings, opaque covering, or other appropriate means.

History. Acts 1975, No. 334, § 4; A.S.A. 1947, § 75-201.11; Acts 2005, No. 2202, § 2.

27-15-2208. Sale or transfer.

The sale or trade and subsequent legal transfer of ownership of a motor vehicle or parts car of historic or special interest shall not be contingent upon any condition that would require the vehicle or parts car to be in operating condition at the time of the sale or transfer of ownership.

History. Acts 1975, No. 334, § 6; A.S.A. 1947, § 75-201.13; Acts 2005, No. 2202, § 2.

27-15-2209. Alternative license plates for antique motor vehicles.

(a) As used in this section, “antique license plate” means a license plate that:

(1) Is approved for issuance under subsection (e) of this section for an historic or special interest vehicle as defined under § 27-15-2201(2) that is more than twenty-five (25) years of age instead of the special license plate issued under § 27-15-2202; and

(2) Was issued by and approved for use in the State of Arkansas in the same year as the model year of the vehicle that is being licensed.

(b) If a person is eligible for a special license plate for an historic or special interest vehicle, the person may choose to use an antique license plate under this section instead of a license plate that is currently issued under § 27-15-2202 by the Office of Motor Vehicle.

(c) An applicant who seeks to use an antique license plate under this section shall remit the following fees:

(1) The fee required by law for the registration and licensing of the motor vehicle; and

(2) A handling and administrative fee in the amount of ten dollars (\$10.00).

(d) To renew an antique license plate under this section, the owner of the motor vehicle shall remit the fee required by law for the registration and licensing of the motor vehicle.

(e) (1) An applicant who seeks to use an antique license plate other than the special license plate issued by the office under § 27-15-2202 shall be required to submit the license plate to the office for inspection to determine whether the antique license plate may be used.

(2) If the office determines that the antique license plate is unacceptable, the applicant shall not be allowed to use the antique license plate.

(3) The reasons for which the office may prohibit the use of an antique license plate include, but shall not be limited to:

(A) The antique license plate does not meet reasonable reflective and safety standards;

(B) The number of the antique license plate is the same as the number issued to a license plate that is currently in circulation; and

(C) The administrative costs associated with recording and maintaining the antique license plate are prohibitive.

(4) The office may promulgate rules to administer the provisions of this section.

History. Acts 2005, No. 2240, § 1.

Subchapter 23 **— Antique Motorcycles**

27-15-2301. Definition.

27-15-2302. Reproductions.

27-15-2303. Ownership requirement.

27-15-2304. Registration — Fee.

27-15-2305. Transfer of registration.

27-15-2306. Use.

27-15-2307. Alternative license plates for antique motorcycles.

27-15-2301. Definition.

(a) “Antique motorcycle” means a motorcycle which is at least twenty-five (25) years old and essentially unaltered from the original manufacturer's specifications and which is being collected, preserved, restored, or maintained by a hobbyist as a leisure pursuit.

(b) Modifications or deviations from the original specifications may be permitted under this classification if the modifications or deviations are of an historic nature and characteristic of the approximate era to which the motorcycle belongs or if they could be considered to be in the category of safety features.

History. Acts 1979, No. 397, § 1; A.S.A. 1947, § 75-201.14; Acts 2005, No. 2202, § 2.

27-15-2302. Reproductions.

(a) A motorcycle manufactured as a reproduction or facsimile of an antique motorcycle shall not be eligible for registration under this section unless it has been in existence for twenty-five (25) years or more.

(b) The age shall be calculated from the date the vehicle was originally assembled as a facsimile.

History. Acts 1979, No. 397, § 3; A.S.A. 1947, § 75-201.16; Acts 2005, No. 2202, § 2.

27-15-2303. Ownership requirement.

Each collector applying for an antique motorcycle license plate must own and have registered one (1) or more motorcycles with regular plates.

History. Acts 1979, No. 397, § 3; A.S.A. 1947, § 75-201.16; Acts 2005, No. 2202, § 2.

AFFIDAVIT

License for Antique Vehicle

On this ____ day of _____, 19____, come(s) _____
to make application for Antique License for following vehicle:

Year Model	Make	Body Style	Motor or ID No.
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I hereby declare that the motor vehicle described above has been maintained or is restored to its original specifications as closely as is reasonably possible. In the event the vehicle is altered from the original specifications, except to the extent authorized or required by law, I will relinquish the antique license plate applied for hereon.

I understand "original specifications" to mean the same type engine, wheels, exhaust system, tire size, upholstery, exterior body and ornaments, bumpers, wheel or dust covers, dash instruments, springs, front axles or suspension system, rear differential, steering system, electrical system, transmission, interior and exterior paints, cooling systems and accessories as were available for the vehicle at its manufacture date.

Brakes, headlights, glass and safety restraints may be altered.

Owner's Signature

Subscribed and sworn to before me this ____ day of _____, 19 ____.

State of _____

County of _____

➤ ss

Notary Public or Revenue Agent

If the department determines that the owner of said vehicle is in violation of Arkansas Statutes 75-201.8, as amended, as they pertain to the licensing of Antique Vehicles, the antique license plate issued for the above vehicle will be seized and the vehicle owner will be subject to a fine of not more than \$37.50.

DEPARTMENT OF FINANCE AND ADMINISTRATION
OFFICE OF MOTOR VEHICLE
P.O. Box 1272
LITTLE ROCK, ARKANSAS

ADC-CDC-1948

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Cut Here

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Subchapter 15
— Street Rod Special License Plates

27-24-1501. Purpose.

27-24-1502. Definitions.

27-24-1503. Application — Issuance — Renewal — Replacement.

27-24-1504. Titling.

27-24-1505. Equipment.

27-24-1501. Purpose.

The purpose of this subchapter is to:

(1) Continue the street rod special license plates that existed before the effective date of this subchapter; and

(2) Make modifications that are necessary to the law because of industry advancements and the growing popularity of street rods.

History. Acts 2007, No. 340, § 1.

27-24-1502. Definitions.

As used in this subchapter:

(1) “Blue dot tail light” means a red lamp installed in the rear of a motor vehicle containing a blue or purple insert that is not more than one inch (1”) in diameter;

(2) “Custom vehicle” means a motor vehicle that:

(A) (i) Is at least twenty-five (25) years old and of a model year after 1948; or
(ii) Was manufactured to resemble a vehicle twenty-five (25) or more years old and of a model year after 1948; and

(B) (i) Has been altered from the manufacturer's original design; or
(ii) Has a body constructed from non-original materials; and

(3) “Street rod” means a motor vehicle that:

(A) Is a 1948 or older vehicle or the vehicle was manufactured after 1948 to resemble a vehicle manufactured before 1949; and

(B) Has been altered from the manufacturer's original design or has a body constructed from nonoriginal materials.

History. Acts 2007, No. 340, § 1.

27-24-1503. Application — Issuance — Renewal — Replacement.

(a) (1) The owner of a street rod or a custom vehicle who is a resident of the State of Arkansas may apply for and annually renew a special license plate or a special license plate that bears a decal that is issued under this subchapter.

(2) The application for registration of a street rod or a custom vehicle under this subchapter shall include an affidavit to be completed by the owner of the street rod or custom vehicle which states that the street rod or custom vehicle:

- (A) Will be maintained for occasional transportation, exhibitions, club activities, parades, tours, or similar uses; and
- (B) Will not be used for general daily transportation.

(b) (1) An applicant for a special license plate or for a special license plate that bears a decal under this subchapter shall remit to the Office of Motor Vehicle payment of a one-time initial fee of fifty dollars (\$50.00) for each street rod or custom vehicle.

(2) An applicant for renewal of a special license plate issued under § 27-15-4003 [repealed] shall not be required to resubmit this initial fee.

(c) The office shall furnish to the owner of a street rod or custom vehicle who complies with the requirements of subsections (a) and (b) of this section a special license plate or special license plate that bears a decal to be displayed on the street rod or custom vehicle in lieu of the usual license plate.

(d) To renew a special license plate or a special license plate that bears a decal issued under this subchapter or under prior law, the owner of the street rod or custom vehicle shall remit an annual fee of twenty-five dollars (\$25.00).

(e) (1) To replace a special license plate or a special license plate that bears a decal issued under this subchapter, the owner of the street rod or custom vehicle shall remit to the office a fee of ten dollars (\$10.00) if the registration has not expired.

(2) The owner of the street rod or custom vehicle shall remit to the office the fees stated in subsection (d) of this section if the registration has expired.

(f) (1) The fee remitted to the office under subdivision (e) of this section shall be deposited into the State Central Services Fund for the benefit of the Revenue Division of the Department of Finance and Administration.

(2) The fee shall be credited as supplemental and in addition to all other funds deposited for the benefit of the division.

(3) The fee shall not be considered or credited to the division as direct revenue.

(g) The registration of a special license plate or a special license plate that bears a decal issued under this subchapter may:

(1) Continue from year to year as long as it is renewed each year within the time and manner required by law; and

(2) Be renewed as provided under §§ 27-14-1012 and 27-14-1013.

(h) A street rod or custom vehicle shall not be eligible for any other licensing of a motor vehicle except as provided in this subchapter.

(i) The office shall consult with the street rod community and custom vehicle community in the state before changing the design of the special license plate or special license plate decal issued under this subchapter.

History. Acts 2007, No. 340, § 1.

27-24-1504. Titling.

(a) The model year and the year of manufacture that are listed on the certificate of title of a street rod or custom vehicle shall be the model year and year of manufacture that the body of the street rod or custom vehicle resembles.

(b) If a street rod or custom vehicle is a replica or reproduction of an original production vehicle, the certificate of title shall include the term "Replica" in the remarks section.

History. Acts 2007, No. 340, § 1.

27-24-1505. Equipment.

(a) Unless the presence of the equipment was specifically required by the law of this state as a condition of sale in the year listed as the year of manufacture on the certificate of title, the presence of any specific equipment, including without limitation emission controls, is not required for the operation of a street rod or custom vehicle registered under this subchapter.

(b) A street rod or custom vehicle may use blue dot tail lights for stop lamps, rear turning indicator lamps, rear hazard lamps, and rear reflectors.

History. Acts 2007, No. 340, § 1.

**STATE OF ARKANSAS
AFFIDAVIT FOR ISSUANCE OF A SPECIAL
STREET ROD OR CUSTOM VEHICLE LICENSE PLATE**

Custom Vehicle and Street Rod are defined as follows:

Custom Vehicle – A motor vehicle that is at least twenty-five (25) years old and of a model year after 1948, or was manufactured to resemble such vehicle; has been altered from the manufacturers original design, or has a body construction from non-original materials.

Street Rod – A motor vehicle that is a 1948 or older vehicle or was manufactured to resemble a vehicle manufactured before 1949, and has been altered from the manufacturer’s original design or has a body constructed of non-original materials.

Check the appropriate box below the type motor vehicle for which the special plate is being requested:

Custom Vehicle

Street Rod

VEHICLE DESCRIPTION

Vehicle Identification Number	Year	Make	Model	Body Type

Check here if the Custom Vehicle or Street Rod is a replica or reproduction of an original production vehicle. If this box is checked “Replica” will be printed in the remarks section of the certificate of title.

I hereby swear and affirm that the vehicle to which the special Custom Vehicle or Street Rod license plate is issued will be maintained for occasional transportation, exhibitions, club activities, parades, tours, or similar uses, and will not be used for general transportation.

Printed Name of Owner _____

Signature of Owner _____ Date _____

