

Hall of the House of Representatives
85th General Assembly - Regular Session, 2005
Amendment Form

Subtitle of House Bill No. 2485

"THE SPECIAL LICENSE PLATE ACT OF 2005."

Amendment No. 2 to House Bill No. 2485.

Amend House Bill No. 2485 as engrossed, H3/16/05 (version: 03-16-2005 15:27):

Page 47, delete lines 31 through 36 entirely

AND

Page 48, delete lines 1 through 20 entirely

AND

Page 48, delete line 21 and substitute:
 "27-24-1402. Existing special license plates."

AND

Page 48, line 34, delete "Foundation;" and substitute "Foundation; and"

AND

Page 48, delete line 36 entirely

AND

Page 49, line 1, delete "(b)(1)" and substitute "(b)"

AND

Page 49, line 7, delete "(A)" and substitute "(1)"

AND

Page 49, line 9, delete "(B)" and substitute "(2)"

AND



Page 49, line 11, delete “(C)” and substitute “(3)”

AND

Page 49, line 13, delete “(D)” and substitute “(4)”

AND

Page 49, line 16, delete “(E)” and substitute “(5)”

AND

Page 49, line 18, delete “(F)” and substitute “(6)”

AND

Page 49, line 20, delete “(G)” and substitute “(7)”

AND

Page 49, delete lines 22 through 36

AND

Page 50, delete lines 1 through 6

AND

Page 51, line 22, delete “27-24-1404” and substitute “27-24-1403”

AND

Page 53, line 34, delete “27-24-1405” and substitute “27-24-1404”

AND

Page 56, line 4, delete “27-24-1406” and substitute “27-24-1405”

AND

Page 57, line 22, delete “27-24-1407” and substitute “27-24-1406”

AND

Page 58, line 1, delete “27-24-1408” and substitute “27-24-1407”

AND

Page 58, delete lines 18 through 36 entirely

AND

Page 59, delete lines 1 through 36 entirely

AND

Page 60, delete lines 1 through 14

AND

Page 92, delete lines 6 through 36 and substitute:

“Subchapter 22.

Historical or Special Interest Vehicles.

27-15-2201. Definitions.

As used in this subchapter, unless the context otherwise requires:

(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) This category shall include vehicles 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.

27-15-2202. Registration - Fee.

(a)(1) Any person who is the owner of an historic or special interest vehicle which is twenty-five (25) or more years old 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 plates.

(2) These plates shall have the same legal significance as ordinary license plates.

(3) These plates, in addition to the identification number, shall identify the vehicle as an historical 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) [Repealed].

(d) 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 (1/2) the fee prescribed in subsection (a) of this section.

(e)(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.

(f) 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.

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 the motor vehicle is altered from its original specifications, except to the extent authorized or required by law.

(b)(1) Upon notification of a violation of this section, 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 thirty-seven dollars and fifty cents (\$37.50).

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.

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 emission controls were standard equipment on that particular make or model of vehicle is exempted from statutes requiring the inspection and use of such emission controls.

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

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.

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.

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."

AND

Delete pages 93 through 95 entirely

AND

If appropriate, renumber the remaining sections of the bill

The Amendment was read _____
By: Representative Rosenbaum
JSE/JSE - 03-22-2005 14:54
JSE508 _____ Chief Clerk