

Hall of the House of Representatives

89th General Assembly - Regular Session, 2013

Amendment Form

Subtitle of House Bill No. 1537

THE SALVAGE VEHICLE CONSUMER SAFETY AND DISCLOSURE ACT.

Amendment No. 1 to House Bill No. 1537

Amend House Bill No. 1537 as originally introduced:

Page 2, delete line 6 and substitute the following:

"(a)(1) Except as provided in subdivision (a)(2) of this section, on and after January 1, 2014, the title of a salvage vehicle"

AND

Page 2, delete lines 15 and 16 and substitute the following:

"(2) A person may purchase no more than two (2) salvage vehicles a year at a salvage auction under this section.

(3) A violation of subdivision (a)(1) of this section shall be assessed a penalty not to exceed one thousand dollars (\$1,000)."

AND

Page 2, line 17, delete "(b)" and substitute "(b)(1)"

AND

Page 2, delete line 20 and substitute the following:

"pursuant to 49 U.S.C. §§ 30501 – 30505, as it existed on January 1, 2013.

(2) The owner, manager, or person in charge of a salvage auction shall report to the Department of Arkansas State Police a sale of a salvage vehicle to a person that is not licensed as a new motor vehicle dealer under § 23-112-301, licensed as a used motor vehicle dealer under § 23-112-607, or licensed under § 27-14-2001.

(3) The owner, manager, or person in charge of a salvage auction shall not sell a salvage vehicle to a person under subdivision (a)(2) of this section if the Department of Arkansas State Police has notified the owner of a salvage auction in writing that the person has met or exceeded the limit of two (2) salvage vehicles a year."

AND

Page 3, delete lines 31 and 32 and substitute the following:



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"A SALVAGE VEHICLE."

AND

Page 3, line 34, insert a new Section 4 and Section 5 as follows:

"SECTION 4. Arkansas Code § 27-14-725(b), concerning vehicle identification verification, is amended to add an additional subdivision to read as follows:

(3) Presents a title or other ownership document from the State of Arkansas for a vehicle purchased from a salvage auction that bears any of the following designations:

(A) Salvage;

(B) Prior salvage;

(C) Damaged;

(D) Prior damaged;

(E) Junked;

(F) Nonrepairable; or

(G) Any other designation that is substantially similar to the designations stated in this subdivision (b)(3).

SECTION 5. Arkansas Code § 27-14-2301(6) and (7), concerning the definitions used in disclosure of damage and repair on a certificate of title, are amended to read as follows:

(6) "Salvage vehicle" means a motor vehicle, regardless of the age of the motor vehicle, that is:

(A) Water-damaged; or

(B) Sustains any other damage in an amount equal to or exceeding seventy percent (70%) of its average retail value as determined under criteria established by rule of the Office of Motor Vehicle; and

(7) "Water-damaged" means ~~damage to a motor vehicle caused by submerging or partially submerging the vehicle in water to the extent that the vehicle was submerged or partially submerged at any water level above the dashboard of the vehicle, regardless of the actual dollar amount of the damage~~ a motor vehicle damaged by water that has:

(A) Saturated or contaminated an electronic or electrical system necessary for the safe and reliable operation of the motor vehicle; or

(B) Risen to the point that it covers the sill and enters the passenger compartment."

AND

Page 4, delete lines 10 and 11 and substitute the following:

"A SALVAGE VEHICLE."

AND

Appropriately renumber the remaining sections of the bill

The Amendment was read _____
By: Representative Rice

