

ARKANSAS SENATE
91st General Assembly - Regular Session, 2017
Amendment Form

Subtitle of Senate Bill No. 775

TO REQUIRE THE REPORTING OF A MOTOR VEHICLE ACQUIRED OR PURCHASED BY A JUNK YARD
OR SALVAGE YARD.

Amendment No. 1 to Senate Bill No. 775

Amend Senate Bill No. 775 as originally introduced:

Delete everything after the enacting clause, and substitute the following:

"SECTION 1. Arkansas Code Title 27, Chapter 14, is amended to add an additional subchapter to read as follows:

Subchapter 25 – Junk Yard and Salvage Yard Reporting

27-14-2501. Legislative Findings.

The General Assembly finds that:

(1) The titles to junk vehicles and salvage vehicles acquired or purchased by junk yards and salvage yards are being used to sell stolen motor vehicles overseas;

(2) Federal law requires that a junk yard or salvage yard report the vehicle identification number of each motor vehicle acquired or purchased in order to prevent the sale of stolen motor vehicles; and

(3) The reporting of vehicle identification numbers is necessary to assist the Department of Finance and Administration in identifying stolen motor vehicles and preventing their unlawful sale.

27-14-2502. Definitions.

As used in this subchapter:

(1) "Junk vehicle" means a motor vehicle:

(A) Incapable of being operated on a public street, road, and highway; and

(B) With no monetary value except as a source of parts or scrap;

(2) "Junk yard" means an establishment or business that acquires or purchases a junk vehicle to:

(A) Resell in its entirety or to dismantle and sell as spare parts; or

(B) Rebuild, restore, or crush;

(3) "Salvage vehicle" means a 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;

(4) "Salvage yard" means an establishment or business that acquires or purchases a salvage vehicle to:

(A) Resell in its entirety or to dismantle and sell as spare parts; or

(B) Rebuild, restore, or crush; and

(5) "Water-damage" means damage to a motor vehicle caused by submersion or partial submersion of the motor vehicle in water to the extent that the motor vehicle was submerged or partially submerged at any water level above the dashboard of the motor vehicle, regardless of the actual dollar amount of the damage.

27-14-2503. Report required.

(a) Within two (2) business days from the date the junk vehicle or salvage vehicle is acquired or purchased, a junk yard or salvage yard shall deliver in a format approved by the Director of the Department of Finance and Administration a report containing:

(2) The name, address, telephone number, and the National Motor Vehicle Title Information System identification number of the junk yard or salvage yard filing the report;

(3) The vehicle identification number of each junk vehicle or salvage vehicle acquired or purchased;

(4) The date the junk vehicle or salvage vehicle was acquired or purchased;

(5) The name of the individual or entity from whom the junk vehicle or salvage vehicle was acquired or purchased; and

(6) The intended disposition of the junk vehicle or salvage vehicle.

(b) A report as provided under subsection (a) of this section is not required if a junk yard or salvage yard does not acquire or purchase a junk vehicle or salvage vehicle during a business day.

(c) If approved by the director, a junk yard or salvage yard may satisfy the requirements of subsection (a) of this section by submitting to the director a copy of information provided under federal law or regulation containing substantially the same information required by this section.

27-14-2504 – Penalties.

(a)(1) A junk yard or salvage yard that fails to timely file the report required under § 27-14-2503 shall be subject to a penalty of one hundred dollars (\$100) per vehicle that is not timely reported.

(2) The Office of Motor Vehicle may abate a portion or all of the penalty assessed under this subsection if the failure of the junk yard or salvage yard to timely file the report required by this subsection is explained to the satisfaction of the Director of the Department of Finance and Administration.

(3)(A) The director may file a petition with the Circuit Court of Pulaski County or the county where the junk yard or salvage yard is located to enjoin further operation of the business if the junk yard or salvage yard fails to comply with the reporting requirements of this subsection.

(B) However, a petition for injunction shall not be filed until at least thirty days (30) days after the director provides written notice to the junk yard or salvage yard of the failure to file the required reports and provides the junk yard or salvage yard an opportunity to request a hearing to present proof of compliance with the reporting requirements of § 27-14-2503.

(b) The penalties collected under this section shall be deposited into the State Central Services Fund.

SECTION 2. EFFECTIVE DATE. This act is effective on and after November 13, 2017."

The Amendment was read the first time, rules suspended and read the second time and _____
By: Senator B. Sample
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Secretary