State of Arkansas
Department of Finance and Administration
Fiscal Impact Statement

Bill: SB541
Bill Subtitle: TO AMEND THE LAW CONCERNING THE TOWING OR STORAGE OF A VEHICLE, IMPLEMENT, OR PIECE OF MACHINERY; AND TO AMEND THE LAW CONCERNING THE RELEASE OF A VEHICLE THAT HAS BEEN TOWED OR STORED.

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Sponsors:

Sens. Leding and Clark

Rep. Womack

Basic Change:

SB541 amends the law that provides the procedure by which an abandoned motor vehicle, implement, or piece of machinery, or a vehicle parked without authorization, may be towed without the owner's consent.

SB541 requires the towing or storage company to release the vehicle, implement, or piece of machinery to the owner or the owner's representative, even though the owner has not satisfied the possessory lien held by the towing and storage company or county, city, or incorporated town. The owner is prohibited from selling the property without first satisfying the possessory lien. An owner who sells the property without satisfying the lien may be found guilty of a Class C misdemeanor and, upon conviction, shall be ordered by the court to pay twice the amount of the lien to the lien holder.

Fiscal Impact:

None.

Taxpayer Impact:

The owner of a vehicle, implement, or piece of machinery that has been towed or stored without the consent of the owner may obtain the release of the vehicle without satisfaction of the possessory lien held by the towing or storage company or county, city, or incorporated town. The owner of the vehicle is prohibited from selling the vehicle without satisfaction of the possessory lien.

Resources Required:

None.

Time Required:

Adequate time is provided for implementation.

Procedural Changes:

None.

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Other Comments:

None.

Legal Analysis:

None.