

1 State of Arkansas  
2 80th General Assembly  
3 Regular Session, 1995  
4 By: Representative Hunton

# A Bill

HOUSE BILL 1714

## For An Act To Be Entitled

"AN ACT TO AMEND ARKANSAS CODE § 27-14-2303 PERTAINING TO  
DISCLOSURE OF BRANDED MOTOR VEHICLE TITLES AT THE TIME OF  
SALE OR TRANSFER; AND FOR OTHER PURPOSES."

## Subtitle

"AN ACT TO AMEND ARKANSAS CODE § 27-14-  
2303 PERTAINING TO DISCLOSURE OF BRANDED  
MOTOR VEHICLE TITLES AT THE TIME OF SALE  
OR TRANSFER."

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

SECTION 1. Arkansas code §27-14-2303 is amended to read as follows:

"§ 27-14-2303. Disclosure requirements.

(a)(1) When any dealer in this state offers for sale a motor vehicle which carries a title branded pursuant to this subchapter, the dealer shall disclose to any prospective buyer or purchaser, prior to sale, the nature of the title brand and shall furnish him a description of the damage sustained by the motor vehicle on file with the Office of Motor Vehicle.

(2) The disclosure shall be on a buyer's notification form to be prescribed by the Consumer Protection Division of the Office of the Attorney General.

(3)(A) The form shall be fully filled out and affixed to a side window of the motor vehicle with the title Buyer's Notification facing to the outside.

(B) The form may be removed temporarily from the window during any test drive, but shall be replaced as soon as the test drive is over.

1 (b) When any motor vehicle owner, who is not a dealer, knowingly  
2 offers for sale or trade a motor vehicle which carries a title branded  
3 pursuant to this subchapter, such owner shall disclose to any prospective  
4 buyer or purchaser, prior to sale or trade, the nature of the title brand and  
5 shall furnish him a description of the damage sustained by the motor vehicle  
6 as on file with the Office of Motor Vehicle. The disclosure shall be on a  
7 buyers notification form to be prescribed by the Consumer Protection Division  
8 of the Office of Attorney General.

9 (c)(1) The form to be prescribed by the Consumer Protection Division  
10 shall have an acknowledgement section that the seller shall require the buyer  
11 to sign prior to completing a sales transaction on a motor vehicle that  
12 carries a branded title.

13 (2) The seller shall retain a copy of the signed notification  
14 form.

15 (d)(1) Failure of the seller to procure the buyer's acknowledgement  
16 signature shall render the sale voidable at the election of the buyer.

17 (2) The election to render the sale voidable shall be limited to  
18 thirty (30) days after the sales transaction."

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20 SECTION 2. All provisions of this act of a general and permanent  
21 nature are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas  
22 Code Revision Commission shall incorporate the same in the Code.

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24 SECTION 3. If any provision of this act or the application thereof to  
25 any person or circumstance is held invalid, such invalidity shall not affect  
26 other provisions or applications of the act which can be given effect without  
27 the invalid provision or application, and to this end the provisions of this  
28 act are declared to be severable.

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30 SECTION 4. All laws and parts of laws in conflict with this act are  
31 hereby repealed.

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