

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

1 State of Arkansas  
2 84th General Assembly  
3 Regular Session, 2003

# A Bill

HOUSE BILL 1130

4  
5 By: Representatives Gillespie, Stovall, Haak, Milligan, Napper  
6 By: Senator Laverty

## For An Act To Be Entitled

10 AN ACT TO EXEMPT FROM SALES OR USE TAX CLASS TWO  
11 THROUGH CLASS EIGHT COMMERCIAL TRUCKS AND SEMI-  
12 TRAILERS; TO IMPOSE AN ADDITIONAL REGISTRATION  
13 FEE EQUAL TO TWENTY PERCENT (20%) OF THE EXISTING  
14 FEE; AND FOR OTHER PURPOSES.

## Subtitle

16 EXEMPTS COMMERCIAL TRUCKS AND TRAILERS  
17 FROM SALES OR USE TAX; IMPOSES TWENTY  
18 PERCENT (20%) ADDITIONAL REGISTRATION  
19 FEE.  
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21  
22  
23 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

24  
25 SECTION 1. Arkansas Code § 27-14-601(a), concerning fees for  
26 registering and licensing motor vehicles, is amended to add an additional  
27 subdivision to read as follows:

28 (7) Additional registration fee.

29 (A) There shall be paid an additional registration fee  
30 equal to twenty percent (20%) of the fee required by § 27-14-601(a)(3) for a  
31 new or used motor vehicle registered as a Class Two, Class Three, Class Four,  
32 Class Five, Class Six, Class Seven, or Class Eight vehicle.

33 (B) There shall be paid an additional registration fee  
34 equal to twenty percent (20%) of the fee required by § 27-14-601(a)(3)(I) for  
35 all new or used trailers or semi-trailers registered as Class Nine vehicles,  
36 except that no additional fee shall apply to trailers registered under § 27-



1 14-601(a)(3)(I)(i)(a)(1).

2 (C) The additional registration fee shall be paid at the  
 3 time of the vehicle registration and shall be deposited into the State  
 4 Treasury as general revenue.

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 6 SECTION 2. Arkansas Code Title 26, Chapter 52, Subchapter 4 is amended  
 7 to add an additional section to read as follows:

8 26-52-433. Commercial vehicles.

9 (a) The gross receipts or gross proceeds derived from the sale of a  
 10 new or used motor vehicle registered as a Class Two, Class Three, Class Four,  
 11 Class Five, Class Six, Class Seven, or Class Eight vehicle under § 27-14-  
 12 601(a)(3) is exempt from the Arkansas gross receipts tax levied by the  
 13 Arkansas Gross Receipts Act of 1941, §§ 26-52-101 et seq.

14 (b) Except as provided in subsection (c), the gross receipts or gross  
 15 proceeds derived from the sale of a new or used motor vehicle registered as a  
 16 Class Nine vehicle under § 27-14-601(a)(3)(I)(i) is exempt from the Arkansas  
 17 gross receipts tax levied by the Arkansas Gross Receipts Act of 1941, §§ 26-  
 18 52-101 et seq.

19 (c) The gross receipts derived from the sale of trailers registered  
 20 under § 27-14-601(a)(3)(I)(i)(a)(1) shall continue to be subject to gross  
 21 receipts tax and shall be paid as provided in § 26-52-510.

22  
 23 SECTION 3. EMERGENCY CLAUSE. It is found and determined by the  
 24 General Assembly of the State of Arkansas that the payment of sales or use  
 25 tax on commercial trucks and semi-trailers constitutes a burden on the  
 26 trucking industry; that the payment of sales or use tax on commercial trucks  
 27 and semi-trailers places Arkansas trucking companies at a competitive  
 28 disadvantage with trucking companies in other states; that many companies  
 29 have registered trucks and trailers outside of Arkansas to avoid the payment  
 30 of sales or use tax; that without a sales or use tax exemption, Arkansas  
 31 trucking companies will relocate to other states; that the relocation of  
 32 trucking companies would cause Arkansans to lose their jobs; that it is in  
 33 the best interest of the State of Arkansas for trucking companies to continue  
 34 to operate in Arkansas and to register trucks and trailers in Arkansas; that  
 35 by exempting commercial trucks and semi-trailers from sales tax while  
 36 imposing an additional registration fee would result in additional revenues

1 and allow Arkansans to keep their jobs. Therefore, an emergency is declared  
2 to exist and this act being immediately necessary for the preservation of the  
3 public peace, health, and safety shall become effective on the first day of  
4 the second calendar month following:

5 (1) The date of its approval by the Governor;

6 (2) If the bill is neither approved nor vetoed by the Governor,  
7 the expiration of the period of time during which the Governor may veto the  
8 bill; or

9 (3) If the bill is vetoed by the Governor and the veto is  
10 overridden, the date the last house overrides the veto.

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