

State of Arkansas  
85th General Assembly  
Regular Session, 2005

# A Bill

HOUSE BILL 2368

By: Representatives Pyle, Overbey, R. Green, Wells

## For An Act To Be Entitled

AN ACT TO PROVIDE AN ALTERNATIVE METHOD OF NOTICE  
FOR COLLECTION OF DISCARDED ITEMS ON PUBLIC OR  
PRIVATE PROPERTY; AND FOR OTHER PURPOSES.

## Subtitle

AN ACT TO PROVIDE AN ALTERNATIVE METHOD  
OF NOTICE FOR COLLECTION OF DISCARDED  
ITEMS ON PUBLIC OR PRIVATE PROPERTY.

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

SECTION 1. Arkansas Code § 8-6-413 is amended to read as follows:

8-6-413. Authority to take possession of discarded items - Notice.

Any enforcement agency described in § 8-6-412 which has knowledge of, discovers, or finds any junk motor vehicle, old vehicle tire, or inoperative or discarded household appliance on either public or private property may take it into custody and possession. For that purpose, the enforcement agency may employ its own personnel, equipment, and facilities or hire persons, equipment, and facilities for the purpose of removing, preserving, and storing junk motor vehicles, old vehicle tires, or inoperative or abandoned household appliances. However, before taking any junk motor vehicle into custody and possession from private property, the enforcement agency shall give the private property owner and the owner of the motor vehicle, if ascertainable, thirty (30) days' notice by registered or certified mail or seventy-two (72) hours' notice by personal service that such action will be taken unless the motor vehicle is restored to a functional use, disposed of by the owner in a manner not prohibited by this subchapter, or placed in an



1 enclosed building. The thirty days' or seventy-two (72) hours' notice may be  
2 waived by the owners of the property.

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