

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 85th General Assembly
3 Regular Session, 2005
4

As Engrossed: H3/7/05

A Bill

HOUSE BILL 2368

5 By: Representatives Pyle, Overbey, R. Green, Wells, *Borhauer*
6
7

For An Act To Be Entitled

9 AN ACT TO PROVIDE AN ALTERNATIVE METHOD OF NOTICE
10 FOR COLLECTION OF DISCARDED ITEMS ON PUBLIC OR
11 PRIVATE PROPERTY; AND FOR OTHER PURPOSES.
12

Subtitle

13 AN ACT TO PROVIDE AN ALTERNATIVE METHOD
14 OF NOTICE FOR COLLECTION OF DISCARDED
15 ITEMS ON PUBLIC OR PRIVATE PROPERTY.
16
17
18

19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
20

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

22 8-6-413. Authority to take possession of discarded items - Notice.

23 Any enforcement agency described in § 8-6-412 which has knowledge of,
24 discovers, or finds any junk motor vehicle, old vehicle tire, or inoperative
25 or discarded household appliance on either public or private property may
26 take it into custody and possession. For that purpose, the enforcement agency
27 may employ its own personnel, equipment, and facilities or hire persons,
28 equipment, and facilities for the purpose of removing, preserving, and
29 storing junk motor vehicles, old vehicle tires, or inoperative or abandoned
30 household appliances. However, before taking any junk motor vehicle into
31 custody and possession from private property, the enforcement agency shall
32 give the private property owner and the owner of the motor vehicle, if
33 ascertainable, thirty (30) days' notice by registered or certified mail or
34 seventy-two (72) hours' notice by personal service that such action will be
35 taken unless the motor vehicle is restored to a functional use, disposed of
36 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.

3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36

/s/ Pyle, et al