1 2	State of Arkansas 85th General Assembly	A Bill		
3	Regular Session, 2005		HOUSE BILL 2711	
4				
5	By: Representative Bolin			
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7		Essa Assa Assa Tas Da Essa Ala I		
8	AN A CIT	For An Act To Be Entitled	W 4MD	
9		TO INCREASE THE FEES FOR REGISTRATIO		
10 11		ING OF CERTAIN MOTOR VEHICLES; AND FO	K	
12	OTHER	runruses.		
13		Subtitle		
14	ТО	INCREASE THE FEES FOR REGISTRATION		
15	AND	LICENSING OF CERTAIN MOTOR VEHICLES.		
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18	BE IT ENACTED BY THE	GENERAL ASSEMBLY OF THE STATE OF ARKA	ANSAS:	
19				
20	SECTION 1. Arkansas Code § 27-14-601 is amended to read as follows:			
21	27-14-601. Fees for registration and licensing of motor vehicles.			
22	(a) Fees Gener	cally. The fee for the registration a	and licensing of all	
23	motor vehicles shall	be as follows:		
24	(1) Plea	asure Vehicles. For all automobiles e	equipped with	
25	_	for the transportation of persons, t		
26	_	the following fees based upon the un	nladen weight of	
27	such automobiles:			
28	(A)	Class One — Automobiles of 3,000 lb	os. or less	
29 30	\$17.00 \$22.00;	Class Two - Automobiles of 3,001 1	ha to	
31	` '	lbs 25.00 \$30.00; <u>and</u>	JS. 10	
32	(C)		lhs. and over	
33	30.00 \$35.00;	11100 11100 11100 01 1 ,	The and over v v	
34	·	omobiles for Hire. For all automobile	es for hire which	
35		eumatic tires and used for the transpo		
36	there shall be charge	ed and collected the fee applicable th	hereto as set for	

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- 1 pleasure vehicles in subdivision (a)(1) of this section;
- 2 (3) Trucks and Trailers. For all motor trucks, trailers, and
- 3 semi-trailers including pipe and pole dollies, equipped with pneumatic tires,
- 4 the license fee shall be charged on the basis of the gross loaded weight of
- 5 the vehicle as follows:
- 6 (A) Class One All trucks and vans that are rated by the
- 7 manufacturer as having a nominal tonnage of one (1) ton that are used
- 8 exclusively for personal transportation and are not used for commercial or
- 9 business purposes and all trucks and vans that are rated by the manufacturer
- 10 as having a nominal tonnage of three-quarter (3/4) ton or less shall be
- 11 assessed a license fee of twenty-one dollars (\$21.00) without regard to
- 12 weight. All one-ton trucks and vans that are used for commercial or business
- 13 purposes shall be registered in the appropriate class according to gross
- 14 laden weight;
- 15 (B) Class Two On all such vehicles with a gross loaded
- 16 weight between six thousand one pounds (6,001 lbs.) and twenty thousand
- 17 pounds (20,000 lbs.), the fee to be charged shall be at the rate of six
- 18 dollars and fifty cents (\$6.50) per thousand pounds of gross loaded weight of
- 19 the vehicles;
- 20 (C) Class Three On all such vehicles with a gross loaded
- 21 weight between twenty thousand one pounds (20,001 lbs.) and forty thousand
- 22 pounds (40,000 lbs.), the fee to be charged shall be at the rate of eight
- 23 dollars and forty-five cents (\$8.45) per thousand pounds of the gross loaded
- 24 weight of the vehicles;
- 25 (D) Class Four On all such vehicles with a gross weight
- 26 between forty thousand one pounds (40,001 lbs.) and fifty-six thousand pounds
- 27 (56,000 lbs.), the fee to be charged shall be at the rate of eleven dollars
- 28 and five cents (\$11.05) per thousand pounds of gross loaded weight of the
- 29 vehicles;
- 30 (E) Class Five On all such vehicles with a gross loaded
- 31 weight between fifty-six thousand one pounds (56,001 lbs.) and sixty thousand
- 32 pounds (60,000 lbs.), the fee to be charged shall be at the rate of twelve
- 33 dollars and thirty-five cents (\$12.35) per thousand pounds of gross loaded
- 34 weight of the vehicles;
- 35 (F) Class Six On all such vehicles with a gross loaded
- 36 weight between sixty thousand one pounds (60,001 lbs.) and sixty-eight

- 1 thousand pounds (68,000 lbs.), the fee to be charged shall be at the rate of 2 thirteen dollars and sixty-five cents (\$13.65) per thousand pounds of gross loaded weight of the vehicles; 3 4 (G)(i) Class Seven - On all such vehicles with a gross 5 loaded weight between sixty-eight thousand one pounds (68,001 lbs.) and 6 seventy-three thousand two hundred eighty pounds (73,280 lbs.), the fee to be 7 charged shall be at the rate of fourteen dollars and thirty cents (\$14.30) 8 per thousand pounds of gross loaded weight of the vehicles; and. 9 (ii) On all such vehicles with a gross loaded weight 10 between seventy-three thousand, two hundred eighty-one pounds (73,281 lbs.) 11 and eighty thousand pounds (80,000 lbs.), the fee to be charged shall be one 12 thousand three hundred fifty dollars (\$1,350.00) (\$1,350). (H) Class Eight — (i) In order to aid in the development 13 14 of the natural resources and to promote agriculture in Arkansas and in order 15 to eliminate apparent inequities in license charges for vehicles using only 16 improved roads and those used primarily on the farm, in the wooded areas, and 17 off the main highway system of this state, a special classification is 18 created to provide a different and more equitable rate for those vehicles 19 used exclusively for the noncommercial hauling of farm products produced in this state and for hauling feed, seed, fertilizer, poultry litter, and other 20 21 products commonly produced or used in agricultural operations or for hauling 22 animal feed by owners of livestock or poultry for consumption in this state 23 by livestock or poultry owned by them and for those vehicles used in hauling 24 unfinished and unprocessed forest products and clay minerals and ores 25 originating in Arkansas from the point of severance to a point in the state 26 at which they first undergo any processing, preparation for processing, 27 conversion, or transformation from their natural or severed state. 28 Notwithstanding any provision of this subdivision (a)(3)(H) to the contrary, 29 farmers may transport cotton seed from the gin or warehouse to the first 30 point of sale under this special classification. Rock or stone or crushed 31 rock or crushed stone, except rock or stone which is to undergo further 32 processing into a finished or semifinished product other than crushed rock or 33 crushed stone, shall not be construed as "clay minerals" or "ores" under the 34 provisions of this classification. 35 The annual license fees for vehicles classified
 - as natural resources vehicles shall be as follows:

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                                   (a) For a vehicle with two (2) axles, a fee of
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     three dollars and ninety cents ($3.90) per one thousand pounds (1,000 lbs.)
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     of gross loaded weight of the vehicle, with a minimum fee of thirty-two
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     dollars and fifty cents ($32.50) and a maximum fee of sixty-five dollars
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     ($65.00) for each vehicle;
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                                   (b) For a vehicle with three (3) axles, a fee
     of ninety-seven dollars and fifty cents ($97.50);
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                                   (c) For a vehicle with four (4) axles, a fee
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     of one hundred thirty dollars ($130);
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                                   (d) For a vehicle with five (5) axles, a fee
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     of one hundred sixty-two dollars and fifty cents ($162.50);
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                                   (e) For a vehicle with five (5) axles used
     exclusively by the owner of livestock or poultry in hauling animal feed for
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     consumption in this state by the owner's livestock or poultry, a fee of six
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     hundred fifty dollars ($650); and
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                                   (f) Notwithstanding any of the provisions of
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     this subdivision (a)(3)(H) to the contrary, for a vehicle to be operated
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     separately or in combination with other vehicles, which vehicle or
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     combination has a total outside width in excess of one hundred two inches
     (102") but not exceeding one hundred eight inches (108") and is utilized or
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     intended to be utilized to transport compacted seed cotton, the annual
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     license fee shall be six hundred fifty dollars ($650). Provided, any full
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     trailer or semitrailer used in combination with such registered vehicle shall
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     also be registered in accordance with and pursuant to the applicable fees set
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     out in subdivision (a)(3)(I) of this section. That portion of the annual
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     license fee established by this subdivision (a)(3)(H)(ii)(f) which equals
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     four hundred eighty-seven dollars and fifty cents ($487.50) is declared to be
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     a permit fee for the use of the public roads and streets of this state by
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     such vehicles while operated separately or in combination with other vehicles
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     due to the unusual design and size of such vehicles or combinations of
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     vehicles.
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                             (iii)(a) The foregoing vehicles shall not exceed the
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     maximum axle load permitted by law.
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                                   (b) Five-axle vehicles may haul maximum gross
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     loaded weights of up to eighty thousand pounds (80,000 lbs.) without the
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     purchase of any additional or different type license.
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                             (iv) The director shall cause to be issued special
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     and distinctive license plates for vehicles in this classification, with
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     separate license plates to be established for those vehicles used in the
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     noncommercial hauling of farm products produced in this state and for hauling
     feed, seed, fertilizer, poultry litter, and other products commonly produced
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     or used in agricultural operations or compacted seed cotton and separate
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     license plates to be established for those vehicles hauling timber products,
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     clay minerals, or ores.
                             (v) Before any license may be issued for a vehicle
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     designated a natural resources vehicle, the applicant shall, by affidavit,
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     state that he is familiar with the purposes for which such licenses may be
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     used as authorized under this classification and that he will not use such
     vehicle for which application for license is made for any purpose not
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     authorized under this classification. The applicant shall indicate on his
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     affidavit whether the vehicle is to be used for the hauling of farm products,
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     animal feed, compacted seed cotton, forest products, clay minerals, or ores.
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                             (vi)(a) Upon submitting an affidavit, any person
     entitled to obtain a natural resources license for a motor vehicle used for
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     hauling farm products as authorized under this classification if the vehicle
     is required for only seasonal or occasional use may be issued a natural
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     resources license for the vehicle for the first six (6) months of the annual
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     licensing period, at a rate equal to one-half (1/2) of the annual fee but in
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     no event less than sixty-five dollars ($65.00) or for the last month of the
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     current annual licensing period and the first six (6) months of the
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     subsequent annual licensing period at a rate equal to seven-twelfths (7/12)
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     of the annual fee but in no event less than seventy-five dollars ($75.00).
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                                        The director shall issue special
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     distinctive license plates or license plate validation decals for the
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     vehicles, including the indication thereon of the expiration date, so as to
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     identify them from annual natural resources plates.
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                             (vii) The owner of any motor vehicle who is entitled
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     to obtain a natural resources license for such motor vehicle for use in
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     hauling farm products as authorized in this subdivision (a)(3)(H) may use
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     such motor vehicle for the hauling of baled cotton from the cotton gin to a
     cotton compress without the necessity of the payment of additional license
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     fees or the obtaining of additional license plates for such motor vehicle.
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                             (viii) The director shall promulgate such rules and
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     regulations as may be necessary to carry out the intent of this
     classification and prevent abuse thereof. However, before any such rules or
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     regulations shall be effective, they shall be approved by majority action of
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     the members of the State Highway Commission acting for and in behalf of the
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     Arkansas Highway Police Division of the Arkansas State Highway and
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     Transportation Department, which is the agency charged with the principal
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     responsibility of enforcing the motor vehicle license laws of this state.
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                             (ix) Vehicles licensed under this classification for
     the hauling of farm products only shall be permitted, without payment of
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     additional fees, to transport return loads to the farm or domicile of the
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     owner of such vehicles where such return load contents are the property of,
     and to be used or consumed by, the owner of the vehicle or his family.
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                             (x) If a violation of the natural resources
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     classification, as authorized in this subdivision (a)(3)(H) is discovered, a
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     license must immediately be purchased for such vehicle in accordance with the
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     rate of license that should lawfully be required for such vehicle for so
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     moving on the roads and highways of this state. No credit shall be given on
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     the purchase price of such license for any amount or amounts paid for license
     hitherto purchased for use on such vehicle. This requirement of license
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     purchase shall not be in lieu of any criminal prosecution.
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                             (xi) All affidavits required under the provisions of
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     this subdivision (a)(3)(H) shall be acknowledged by the director, his
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     authorized agent, or some other person authorized by the laws of this state
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     to administer oaths;
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                       (I) Class Nine - (i)(a) For the purpose of evidencing
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     registration of trailers, semitrailers, and full trailers, there shall be
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     issued special license plates and annual registration fees charged and
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     collected according to the following schedule:
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                                         (1) All trailers drawn by automobiles
     and Class One trucks, and all boat trailers and travel trailers drawn by any
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     truck, which truck has a load capacity of one (1) ton or less, a fee of seven
     dollars ($7.00);
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                                             All semitrailers used in combination
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     with Class Two - Class Eight trucks, with the exception of those for which a
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     fee is set out in subdivision (a)(3)(I)(i)(a)(1) of this section, a fee of
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- 1 twenty dollars (\$20.00). Provided, however, the owner of any semitrailer
- 2 used in combination with Class Two Class Eight trucks may, at his or her
- 3 option, pay a fee of sixty-five dollars (\$65.00) for issuance of a permanent
- 4 registration that shall remain valid, without annual renewal, until he or she
- 5 sells or otherwise disposes of the semitrailer for which the registration is
- 6 issued. Permanent registrations issued under this subdivision
- 7 (a)(3)(I)(i)(a)(2) shall not be transferred to other owners or other vehicles
- 8 and shall not be replaced under § 27-14-602(b)(6);
- 9 (3) Full trailers operated in the
- 10 transportation of farm products and other natural resources described as
- 11 Class Eight, a fee of eight dollars (\$8.00); and
- 12 (4) For all other full trailers there
- 13 shall be charged an annual license fee computed on the gross loaded weight of
- 14 the vehicle at the appropriate rate provided by Class Two Class Seven of
- 15 subdivision (a)(3) of this section.
- 16 (b) For the purpose of evidencing registration
- of trailers registered under subdivision (a)(3)(1)(i)(a)(1), there shall be
- 18 collected a triennial fee based upon the annual fee set forth therein.
- 19 Unless a trailer license issued under this provision is renewed on or before
- 20 the fifteenth day following its expiration, it shall lapse and shall no
- 21 longer be of any force or effect unless renewed in the manner prescribed by
- 22 law.
- 23 (c) For the purpose of evidencing registration
- 24 of a combination of truck-tractor and semitrailer classified by subdivision
- 25 (a)(3)(I)(i)(a)(2), the license fee for the gross weight of the combination
- 26 shall be computed at the appropriate rate provided by Class Two Class Eight
- 27 of subdivision (a)(3) of this section and shall be applied to the
- 28 registration of the truck tractor.
- 29 (ii)(a) "Gross loaded weight" as used in this
- 30 section means the weight of the vehicle or vehicles plus the load to be
- 31 hauled.
- 32 (b)(1) If any truck, trailer, or semitrailer,
- 33 as provided in this section, is at any time found to be operating on the
- 34 highways of Arkansas with a gross loaded weight in excess of the weight
- 35 permitted by the license registration thereon, the owner or his or her agent
- 36 must then and there, before proceeding, pay an additional license fee on the

- 1 truck, trailer, or semitrailer, or combination, on the basis of one dollar
- 2 and thirty cents (\$1.30) per one hundred pounds (100 lbs.), or fraction
- 3 thereof, for the excess weight. For the purpose of ascertaining excess
- 4 loaded weight on any truck, trailer, semitrailer, or combination thereof, a
- 5 tolerance of one thousand pounds (1,000 lbs.) over and above the permitted
- 6 weight, as indicated by the license registration certificate thereof, shall
- 7 be allowed before the additional license fee required in this subdivision
- 8 (a)(3)(I)(ii)(b)(1) shall be charged.
- 9 (2) It shall be unlawful for any truck
- 10 to operate on the highways of Arkansas without the license registration card
- ll being, at all times, in the possession of the operator thereof. This card
- 12 shall, at all times, be subject to inspection.
- 13 (3) Any truck, trailer, or semitrailer,
- or combination thereof, on which an additional license fee is paid because of
- 15 excess weight, as provided in this subdivision (a)(3)(I)(ii)(b), shall be
- 16 permitted for the remaining portion of the regular license year to operate at
- 17 the newly established weight limit.
- 18 (4) In no event shall any license be
- 19 issued for a greater weight than that permitted by law governing axle loads;
- 20 (4) Motorcycles.
- 21 (A) For the registration of motorcycles, there shall be
- 22 charged and collected a fee of six dollars and fifty cents (\$6.50) per annum.
- 23 (B) For the registration of motor-driven cycles, there
- 24 shall be charged and collected a fee of three dollars and twenty-five cents
- 25 (\$3.25) per annum.
- 26 (C) For the registration of motorcycle sidecars, there
- 27 shall be charged and collected an additional registration fee of one dollar
- and ninety-five cents (\$1.95) per annum;
- 29 (5) Hearses and Ambulances.
- 30 For the registration of hearses and other funeral cars or
- 31 ambulances, there shall be charged and collected a fee of forty-five dollars
- 32 and fifty cents (\$45.50) per annum; and
- 33 (6) Dealers.
- 34 (A) A "dealer", for the purposes of this subdivision
- 35 (a)(6), means a person, firm, or corporation engaged in the business of
- 36 buying and selling vehicles subject to registration in this state.

1 (B)(i) As a condition precedent to obtaining dealer's 2 license plates, the dealer shall furnish the director a certification that 3 the applicant is a vehicle dealer and has a bona fide, established place of 4 business used for the sale of vehicles, an office used for that business, a 5 telephone listed in the name of the business, and a sign identifying the 6 establishment. Certification shall be required for all renewals of dealer 7 license plates. This dealer certification shall not apply to dealers 8 licensed by the Department of Arkansas State Police, the Arkansas Motor 9 Vehicle Commission, or the Arkansas Manufactured Home Commission and who are 10 regulated by those authorities. The dealer certification shall consist of 11 completion of a self-certification form prepared by the Office of Motor 12 Vehicle. Upon furnishing the certification to the 13 14 director, or a copy of the dealer's license from either the Department of 15 Arkansas State Police or the Arkansas Motor Vehicle Commission and the 16 payment of a fee of one hundred dollars (\$100), the dealer shall be issued a 17 master license plate and upon the payment of a fee of twenty-five dollars (\$25.00) shall be issued a dealer's extra license plate. There is no limit 18 19 to the number of dealer's extra license plates that may be purchased by a dealer. However, the dealer must secure a master license plate for each 20 21 separate place of business. 22 (iii)(a) Upon furnishing certification to the 23 director or a copy of the dealer's license from the Arkansas Manufactured 24 Home Commission and upon the payment of fifty dollars (\$50.00), the 25 manufactured home dealer shall be issued certification from the director for 26 the purpose of assigning manufactured home titles. 27 (b) Each location shall be treated as a 28 separate entity, and certification by the department shall be required for 29 each location. 30 (C) When a dealer's master license plate or extra license plate is attached to any dealer-owned motor vehicle, the motor vehicle may be 31 32 used by the dealer, a manager, a sales manager, or a salesperson employed by 33 the dealership to drive to or from work and for personal or business trips 34 inside or outside the dealer's county of residence. 35 (D) Any dealer who pleads guilty or nolo contendere to or

who is found guilty of the misuse of a dealer's license plate or of allowing

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- 1 anyone else to misuse a dealer's license plate shall be fined not more than
- 2 two hundred fifty dollars (\$250) for the first offense, not more than five
- 3 hundred dollars (\$500) for the second offense, and not more than one thousand
- 4 dollars (\$1000) for the third and subsequent offenses.
- 5 (b) Period Covered and Expiration of Registration.
- 6 (1) On all motor vehicles, except trucks other than Class One
- 7 trucks as defined in § 27-14-1002, truck-tractors, trailers, and
- 8 semitrailers, and combinations thereof, the duration and expiration of
- 9 registration shall be in accord with the provisions of § 27-14-1011, and all
- 10 fees provided in this section for those motor vehicles shall be due and
- 11 payable annually as provided therein; and
- 12 (2)(A) On all trucks except Class One trucks as defined in § 27-
- 13 14-1002, truck-tractors, trailers, and semitrailers, and combinations
- 14 thereof, except trailers drawn by automobiles and Class One trucks, the
- 15 registration shall be valid for twelve (12) months from the month of issuance
- 16 of registration, and all fees provided in this section for those vehicles
- 17 shall be due and payable annually during the twelfth month of the
- 18 registration period.
- 19 (B) No person shall have the authority to extend the time
- 20 for payment of such fees past the period specified in this subdivision
- 21 (b)(2).
- 22 (C) The provisions of this subdivision (b)(2) shall not
- 23 apply to trailers drawn by automobiles or by Class One trucks.
- 24 (D)(i) The director shall, upon request, assign the same
- 25 registration period to any owner of two (2) or more trucks, truck-tractors,
- 26 trailers, and semitrailers, and combinations thereof, except Class One trucks
- 27 as defined in § 27-14-1002.
- 28 (ii) The director shall, upon request, assign a
- 29 different month of registration other than the vehicle's current month of
- 30 registration to any owner of a truck, truck-tractor, trailer, and
- 31 semitrailer, and combinations thereof, except Class One trucks as defined in
- 32 § 27-14-1002, and all fees shall be prorated accordingly on a monthly basis.
- 33 (c) Nature of Fees. Each of the fees authorized in this section is
- 34 declared to be a tax for the privilege of using and operating a vehicle on
- 35 the public roads and highways of the State of Arkansas.
- 36 (d)(1) All taxes, fees, penalties, interest, and other amounts

- 1 collected under the provisions of this section, with the exception of that
- 2 portion of the fee declared to be a permit fee and collected pursuant to
- 3 subdivision (a)(3)(H)(ii)(f) above, shall be classified as special revenues
- 4 and shall be deposited in the State Treasury. After deducting the amount to
- 5 be credited to the Constitutional Officers Fund and the State Central
- 6 Services Fund as provided under the Revenue Stabilization Law, § 19-5-101 et
- 7 seq., the Treasurer of State shall transfer on the last business day of each
- 8 month:
- 9 (A) Fifteen percent (15%) of the amount thereof to the
- 10 County Aid Fund;
- 11 (B) Fifteen percent (15%) of the amount thereof to the
- 12 Municipal Aid Fund; and
- 13 (C) Seventy percent (70%) of the amount thereof to the
- 14 State Highway and Transportation Department Fund.
- 15 (2) The funds shall be further disbursed in the same manner and
- 16 used for the same purposes as set out in the Arkansas Highway Revenue
- 17 Distribution Law, § 27-70-201 et seq.
- 18 (3) That portion of the annual license fee collected pursuant to
- 19 subdivision (a)(3)(H)(ii)(f) of this section declared to be a permit fee
- 20 shall be classified as special revenues and shall be deposited in the State
- 21 Treasury. The Treasurer of State shall transfer on the last business day of
- 22 each month all of such portions of such annual license fees to the State
- 23 Highway and Transportation Department Fund to be utilized for the
- 24 construction, reconstruction, and maintenance of highways and bridges in the
- 25 state highway system.
- 26 (e) Penalty. (1) Any person owning a vehicle on which a fee is
- 27 required to be paid under the terms of this section who shall operate it or
- 28 permit it to be operated on a public road in this state without having paid
- 29 the fee required by this section shall be guilty of a misdemeanor and upon
- 30 conviction shall be fined in a sum not less than double the fee provided for
- 31 and not more than three thousand dollars (\$3,000).
- 32 (2) If the arresting officer is:
- 33 (A) An officer of the Department of Arkansas State Police,
- 34 the fine shall be deposited in the State Treasury and credited to the
- 35 Department of Arkansas State Police Fund, to be used for the purchase and
- 36 maintenance of state police vehicles;

1	(B) An officer of the Arkansas Highway Police Division of
2	the Arkansas State Highway and Transportation Department, the fine shall be
3	deposited in the State Highway and Transportation Department Fund, to be used
4	for the purchase and maintenance of highway police vehicles;
5	(C) A county law enforcement officer, the fine shall be
6	deposited in the county fund used for the purchase and maintenance of rescue,
7	emergency medical, and law enforcement vehicles, communications equipment,
8	animals owned or used by law enforcement agencies, lifesaving medical
9	apparatus, and law enforcement apparatus, to be used for those purposes; and
10	(D) A municipal law enforcement officer, the fine shall be
11	deposited in that municipality's fund used for the purchase and maintenance
12	of rescue, emergency medical, and law enforcement vehicles, communications
13	equipment, animals owned or used by law enforcement agencies, lifesaving
14	medical apparatus, and law enforcement apparatus, to be used for those
15	purposes.
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