

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

# A Bill

SENATE BILL 1151

4  
5 By: Senator Faris  
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7

## For An Act To Be Entitled

8  
9 AN ACT CONCERNING THE OPTIONAL MEANS OF RECORDING  
10 A LIEN ON A MOTOR VEHICLE; AND FOR OTHER  
11 PURPOSES.  
12

## Subtitle

13  
14 AN ACT CONCERNING THE OPTIONAL MEANS OF  
15 RECORDING A LIEN ON A MOTOR VEHICLE.  
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18 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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20 SECTION 1. Arkansas Code § 27-14-806 is amended to read as follows:  
21 27-14-806. Optional means of recording.

22 (a)(1)~~(A)~~ At his or her option, a lienholder may+

23 ~~(i) Record the lien on the manufacturer's statement~~  
24 ~~of origin; or~~

25 ~~(ii) Record the lien on an existing certificate of~~  
26 ~~title; and~~

27 ~~(B) File~~ file with the Revenue Division of the Department  
28 of Finance and Administration a certified copy of the instrument creating and  
29 evidencing the lien or encumbrance.

30 (2) He or she shall remit therewith a fee of one dollar (\$1.00)  
31 for each lien to be filed.

32 (3) The ~~recording and~~ filing shall constitute constructive  
33 notice of the lien against the vehicle described therein to creditors of the  
34 owner, subsequent purchasers, and encumbrancers, except those liens as are by  
35 law dependent upon possession.

36 ~~(4) A photocopy of the manufacturer's statement of origin or of~~



1 ~~such existing certificate of title or of ownership, showing the lien recorded~~  
2 ~~thereon and certified as a true and correct copy by the party recording the~~  
3 ~~lien, shall be sufficient evidence of the recording.~~

4 (b) The lien shall be deemed perfected and the constructive notice  
5 shall be effective from the date of the execution of the instrument creating  
6 and evidencing the lien or encumbrance if it is filed as authorized in this  
7 section within thirty (30) days after the date of the execution thereof. If  
8 the instrument is filed more than thirty (30) days after the date of the  
9 execution thereof, the lien shall be deemed perfected and the constructive  
10 notice shall date from the time of the filing of the instrument. However, the  
11 filing of a lien under the provisions of this section by the lienholder and  
12 the payment of the fee therefor shall in no way relieve any person of the  
13 obligation of paying the fee required by law for filing a lien to be  
14 evidenced on a certificate of title of a motor vehicle.

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