

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 86th General Assembly
3 Regular Session, 2007
4

A Bill

HOUSE BILL 1383

5 By: Representatives Wood, Walters
6
7

For An Act To Be Entitled

9 AN ACT TO ENSURE THAT VETERANS OF OPERATION
10 ENDURING FREEDOM ARE ELIGIBLE FOR A SPECIAL
11 LICENSE PLATE AND RENEWAL FOR A NOMINAL FEE LIKE
12 OTHER VETERANS; TO INCORPORATE THE LAW REGARDING
13 OPERATION ENDURING FREEDOM AND OPERATION IRAQI
14 FREEDOM INTO THE SPECIAL LICENSE PLATE ACT OF
15 2005, § 27-24-101 ET SEQ.; TO ALLOW A PERSON WHO
16 PAID THE FEE FOR THE OPERATION ENDURING FREEDOM
17 SPECIAL LICENSE PLATE TO BE REFUNDED THAT FEE;
18 AND FOR OTHER PURPOSES.
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Subtitle

20
21 TO ENSURE THAT VETERANS OF OPERATION
22 ENDURING FREEDOM RECEIVE SIMILAR
23 TREATMENT UNDER THE SPECIAL LICENSE
24 PLATE ACT OF 2005, § 27-24-101 ET SEQ.,
25 AS OTHER VETERANS.
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28 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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30 SECTION 1. Arkansas Code § 27-24-204(a), regarding special license
31 plates for members and veterans of the armed forces of the United States, is
32 amended to read as follows:

33 (a) The following special license plates or license plates with
34 permanent decals for members and veterans of the armed forces of the United
35 States and similar entities that were in existence or authorized by enactment
36 on or before April 13, 2005, shall continue to be issued by the Director of



1 the Department of Finance and Administration to an eligible applicant:

- 2 (1) Disabled Veteran;
- 3 (2) Disabled Veteran - World War I;
- 4 (3) Disabled Veteran - Nonservice injury;
- 5 (4) Medal of Honor Recipient;
- 6 (5) Ex-Prisoner of War;
- 7 (6) Military Reserve;
- 8 (7) Pearl Harbor Survivor;
- 9 (8) Merchant Marine;
- 10 (9) World War II Veteran;
- 11 (10) Korean War Veteran;
- 12 (11) Vietnam Veteran;
- 13 (12) Persian Gulf Veteran;
- 14 (13) Armed Forces Veteran;
- 15 (14) Distinguished Flying Cross; ~~and~~
- 16 (15) Operation Iraqi Freedom Veteran; and
- 17 (16) Operation Enduring Freedom Veteran.

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19 SECTION 2. Arkansas Code Title 27, Chapter 15, Subchapter 50 is
20 repealed.

21 ~~27-15-5001. Operation Enduring Freedom Veteran license plate~~
22 ~~authorized.~~

23 ~~The Director of the Department of Finance and Administration shall~~
24 ~~issue a special Operation Enduring Freedom Veteran motor vehicle license~~
25 ~~plate in the manner and subject to the conditions prescribed in this~~
26 ~~subchapter.~~

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28 ~~27-15-5002. Design.~~

29 ~~(a) The license plates issued under this subchapter shall be the~~
30 ~~standard color and design as are currently issued by the Department of~~
31 ~~Finance and Administration, except that in lieu of the legend "The Natural~~
32 ~~State" or any succeeding legend, the license plates shall have placed across~~
33 ~~the bottom a permanent decal bearing the words "Operation Enduring Freedom~~
34 ~~Veteran".~~

35 ~~(b) The license plates issued under this subchapter shall be numbered~~
36 ~~consecutively.~~

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~~27-15-5003. Eligibility.~~

~~(a) The Department of Finance and Administration shall require proof of eligibility for a special license plate under this subchapter.~~

~~(b) The proof shall be sufficient to establish that the applicant honorably served in Operation Enduring Freedom.~~

~~27-15-5004. Fees.~~

~~(a) Upon payment of the fee required by law for the registration of the vehicle and payment of an additional handling and administrative fee of ten dollars (\$10.00) for the issuance of the special Operation Enduring Freedom Veteran license plate, the Department of Finance and Administration shall issue to the vehicle owner an Operation Enduring Freedom Veteran license plate.~~

~~(b)(1) The handling and administrative fee of ten dollars (\$10.00) shall be deposited to the State Central Services Fund for the benefit of the Revenue Division of the Department of Finance and Administration.~~

~~(2) The fee shall not be considered or credited to the division as direct revenues.~~

~~27-15-5005. Renewal.~~

~~(a)(1) The special Operation Enduring Freedom Veteran license plate issued under this subchapter may be renewed annually under the procedures in § 27-15-5004 and under §§ 27-14-1012 and 27-14-1013.~~

~~(2) Registration may continue from year to year as long as it is renewed each year within the time and manner required by law.~~

~~(b) Upon expiration or if the special Operation Enduring Freedom Veteran license plate is lost, the plate may be replaced with a regular license plate at the fee specified in § 27-14-602(b)(6).~~

~~(c) If the special Operation Enduring Freedom Veteran license plate is replaced with a new Operation Enduring Freedom Veteran license plate, the owner shall be required to pay the fees for the issuance of the license plate under § 27-15-5004.~~

~~27-15-5006. Transfer to another vehicle.~~

~~The special Operation Enduring Freedom Veteran license plate issued~~

1 under this subchapter may be transferred from one (1) vehicle to another as
2 provided in § 27-14-914.

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4 ~~27-15-5007. Compliance with other laws—Exemption from minimum
5 applications and discontinuation.~~

6 ~~(a) The special Operation Enduring Freedom Veteran license plate shall
7 comply with all other state motor vehicle laws relating to registration and
8 licensing of motor vehicles unless specifically provided otherwise in this
9 subchapter.~~

10 ~~(b) The special Operation Enduring Freedom Veteran license plate is
11 exempt from the minimum application requirements under § 27-15-4004(a)
12 [repealed] and the discontinuation of the license plate under § 27-15-4004(b)
13 [repealed].~~

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15 ~~27-15-5008. Rules and regulations.~~

16 ~~The Director of the Department of Finance and Administration shall
17 promulgate reasonable rules and regulations and prescribe forms as the
18 director determines to be necessary for effectively and efficiently carrying
19 out the intent and purposes of this subchapter.~~

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21 SECTION 3. Arkansas Code Title 27, Chapter 15, Subchapter 48 is
22 repealed.

23 ~~27-15-4801. Operation Iraqi Freedom Veteran license plate authorized.~~

24 ~~The Director of the Department of Finance and Administration shall
25 issue a special Operation Iraqi Freedom Veteran motor vehicle license plate
26 in the manner and subject to the conditions prescribed in this subchapter.~~

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28 ~~27-15-4802. Design.~~

29 ~~(a) The license plates issued under this subchapter shall be the
30 standard color and design as are currently issued by the Department of
31 Finance and Administration, except that in lieu of the legend "The Natural
32 State" or any succeeding legend, the license plates shall have placed across
33 the bottom a permanent decal bearing the words "Operation Iraqi Freedom
34 Veteran".~~

35 ~~(b) The license plates issued under this subchapter shall be numbered
36 consecutively.~~

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~~27-15-4803. Eligibility.~~

~~(a) The Department of Finance and Administration shall require proof of eligibility for a special license plate under this subchapter.~~

~~(b) The proof shall be sufficient to establish that the applicant honorably served in Operation Iraqi Freedom.~~

~~27-15-4804. Fees.~~

~~(a) Upon payment of the fee required by law for the registration of the vehicle and payment of an additional handling and administrative fee of ten dollars (\$10.00) for the issuance of the special Operation Iraqi Freedom Veteran license plate, the Department of Finance and Administration shall issue to the vehicle owner an Operation Iraqi Freedom Veteran license plate.~~

~~(b)(1) The handling and administrative fee of ten dollars (\$10.00) shall be deposited to the State Central Services Fund for the benefit of the Revenue Division of the Department of Finance and Administration.~~

~~(2) The fee shall not be considered or credited to the division as direct revenues.~~

~~27-15-4805. Renewal.~~

~~(a)(1) The special Operation Iraqi Freedom Veteran license plate issued under this subchapter may be renewed annually under the procedures in § 27-15-4803 and under §§ 27-14-1012 and 27-14-1013.~~

~~(2) Registration may continue from year to year as long as it is renewed each year within the time and manner required by law.~~

~~(b) Upon expiration or if the special Operation Iraqi Freedom Veteran license plate is lost, the plate may be replaced with a regular license plate at the fee specified in § 27-14-602(b) (6).~~

~~(c) If the special Operation Iraqi Freedom Veteran license plate is replaced with a new Operation Iraqi Freedom Veteran license plate, the owner shall be required to pay the fees for the issuance of the license plate under § 27-15-4803.~~

~~27-15-4806. Transfer to another vehicle.~~

~~The special Operation Iraqi Freedom Veteran license plate issued under this subchapter may be transferred from one (1) vehicle to another as~~

1 provided in § 27-14-914.

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3 ~~27-15-4807. Compliance with other laws — Exemption from minimum~~
4 ~~applications and discontinuation.~~

5 ~~(a) The special Operation Iraqi Freedom Veteran license plate shall~~
6 ~~comply with all other state motor vehicle laws relating to registration and~~
7 ~~licensing of motor vehicles unless specifically provided otherwise in this~~
8 ~~subchapter.~~

9 ~~(b) The special Operation Iraqi Freedom Veteran license plate is~~
10 ~~exempt from the minimum application requirements under § 27-15-4004(a)~~
11 ~~{repealed} and the discontinuation of the license plate under § 27-15-4004(b)~~
12 ~~{repealed}.~~

13
14 ~~27-15-4808. Rules and regulations.~~

15 ~~The Director of the Department of Finance and Administration shall~~
16 ~~promulgate reasonable rules and regulations and prescribe forms as the~~
17 ~~director determines to be necessary for effectively and efficiently carrying~~
18 ~~out the intent and purposes of this subchapter.~~

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20 SECTION 4. (a) Subject to the appropriation and availability of
21 funding for the purposes of this section, any person who was eligible for the
22 special Operation Enduring Freedom Veteran license plate under § 27-15-5003,
23 received the special license plate, and was charged a fee under § 27-15-5004
24 or § 27-15-5005 prior to the effective date of this act shall receive a
25 refund as provided under subsection (b) of this section upon presentation to
26 the Revenue Division of the Department of Finance and Administration of proof
27 of payment to the Revenue Division prior to the effective date of this act.

28 (b)(1) The refund for a special license plate created and issued under
29 § 27-15-5004 is the amount of the fee that was actually paid.

30 (2) The refund for the annual renewal of the special license
31 plate under § 27-15-5005 is the amount of the fee paid less a nominal
32 administrative fee of one dollar (\$1.00).

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34 SECTION 5. EMERGENCY CLAUSE. It is found and determined by the
35 General Assembly of the State of Arkansas that due to conflicting laws from
36 the 2005 Regular Session of the 85th General Assembly, persons who were

1 eligible for the special Operation Iraqi Freedom Veteran license plate were
2 charged a fee and other special license plate holders who were veterans were
3 not charged a fee; that this was a mistake that must be corrected; and that
4 this act is immediately necessary to ensure similar treatment of all veterans
5 to prevent unequal treatment of all veterans regarding special license
6 plates. Therefore, an emergency is declared to exist and this act being
7 necessary for the preservation of the public peace, health, and safety shall
8 become effective on:

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

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

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

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