1 State of Arkansas

A Bill

2 87th General Assembly

3 Regular Session, 2009   SENATE BILL 830

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5 By: Senator Madison

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8   **For An Act To Be Entitled**

9   TO ALLOW MUNICIPALITIES TO REGULATE NONCONSENSUAL

10   TOWING AND STORAGE; AND FOR OTHER PURPOSES.

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12   **Subtitle**

13   TO ALLOW MUNICIPALITIES TO REGULATE

14   NONCONSENSUAL TOWING AND STORAGE.

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

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19   SECTION 1. Arkansas Code Title 14, Chapter 54, Subchapter 14 is

20 amended to add an additional section to read as follows:

21   14-54-1412. Nonconsensual towing and storage.

22   (a) For purposes of this section:

23   (1) "Municipality" means a city of the first class with a

24 population in excess of fifty thousand (50,000);

25   (2) "Nonconsensual storage" means the resulting storage of a

26 motor vehicle after a nonconsensual towing; and

27   (3)(A) "Nonconsensual towing" means the towing of a motor

28 vehicle where the owner or operator of the motor vehicle has not agreed to:

29   (i) The towing of his or her motor vehicle; or

30   (ii) The towing of his or her motor vehicle by a

31 particular towing company or wrecker service.

32   (B) "Nonconsensual towing" includes towing or wrecker

33 service requisitioned by a law enforcement officer.

34   (b)(1) A municipality may by ordinance regulate nonconsensual towing

35 or nonconsensual storage within the municipality.

36   (2) The ordinance may include a nonconsensual towing or a

1   nonconsensual storage fee schedule.

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