

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 87th General Assembly
3 Regular Session, 2009

As Engrossed: S4/1/09

A Bill

SENATE BILL 915

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5 By: Senator Salmon
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For An Act To Be Entitled

9 AN ACT TO CLARIFY THE DUTIES, COMPOSITION, AND
10 AUTHORITY OF THE ARKANSAS TOWING AND RECOVERY
11 BOARD; AND FOR OTHER PURPOSES.
12

Subtitle

14 TO CLARIFY THE DUTIES, COMPOSITION, AND
15 AUTHORITY OF THE ARKANSAS TOWING AND
16 RECOVERY BOARD.
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19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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21 *SECTION 1. Arkansas Code § 27-50-1203(a)(2), regarding the Arkansas*
22 *Towing and Recovery Board, is amended to read as follows:*

23 *(2)(A)(i) ~~Four (4) members shall be appointed from the towing~~*
24 *~~industry and shall be licensed by the board to engage in nonconsent towing,~~*
25 *~~with one (1) each of the members being a resident of each of the four (4)~~*
26 *~~congressional districts~~ Each of the four (4) congressional districts is to*
27 *have one (1) member who resides in that district appointed from the towing*
28 *industry.*

29 *(ii) Of these four (4) members, two (2) shall be*
30 *licensed by the board to engage in nonconsent towing and two (2) shall be*
31 *permitted to engage in the consent-only towing business.*

32 *(B) Two (2) members who are permitted to engage in the*
33 *consent-only business shall be appointed from the state at large Two (2)*
34 *members shall be engaged in the trucking industry and shall be selected from*
35 *a list of six (6) names submitted by the Arkansas Trucking Association.*

36 *(C) Two (2) members who are not associated with the towing*



1 industry shall be appointed from the state at large.

2 (D) One (1) member shall be appointed from the insurance
3 industry.

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5 SECTION 2. NOT TO BE CODIFIED. (a)(1) The terms of the four (4)
6 members of the Arkansas Towing and Recovery Board that are licensed by the
7 board to engage in nonconsent towing shall expire on the effective date of
8 this act.

9 (2) The terms of the two (2) members of the Arkansas Towing and
10 Recovery Board that are permitted to engage in consent-only towing shall
11 expire on the effective date of this act.

12 (b)(1) The terms of members of the board appointed under this act
13 shall be as follows:

14 (A) The term of one (1) member who is licensed to engage
15 in nonconsent towing to expire June 22, 2010;

16 (B) The term of one (1) member who is permitted to engage
17 in consent-only towing to expire on June 22, 2010;

18 (C) The term of one (1) member who is engaged in the
19 trucking industry to expire on June 22, 2010;

20 (D) The term of one (1) member who is licensed to engage
21 in nonconsent towing to expire June 22, 2013;

22 (E) The term of one (1) member who is permitted to engage
23 in consent-only towing to expire on June 22, 2013; and

24 (F) The term of one (1) member who is engaged in the
25 trucking industry to expire on June 22, 2013; and

26 (2) Subsequent appointments are for a term of three (3) years.

27 (c) The Governor shall make his or her appointments to the Arkansas
28 Towing and Recovery Board as provided under this act by July 1, 2009.

29 (d) This act shall not limit the Governor from reappointing a member
30 of the board.

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32 SECTION 3. EMERGENCY CLAUSE. It is found and determined by the
33 General Assembly of the State of Arkansas that the Arkansas Towing and
34 Recovery Board serves an important and valuable role in this state; that the
35 board requires restructuring to fulfill its functions and advance its goals;
36 and that the ideal time to commence this restructuring is on the expiration

1 the terms of other members and before the beginning of the state's fiscal
2 year. Therefore, an emergency is declared to exist and this act being
3 necessary for the preservation of the public peace, health, and safety shall
4 become effective on June 22, 2009.

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/s/ Salmon