

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 88th General Assembly
3 Regular Session, 2011

A Bill

HOUSE BILL 1300

4
5 By: Representative Hyde
6

For An Act To Be Entitled

8 AN ACT TO PROVIDE AN EXEMPTION FOR RECREATIONAL
9 VEHICLE SPECIAL EVENTS TO ALLOW RECREATIONAL VEHICLE
10 DEALERS TO DISPLAY AND SELL RECREATIONAL VEHICLES AT
11 SPECIAL EVENTS THAT HAVE A SIGNIFICANT POSITIVE
12 ECONOMIC IMPACT ON AN AREA; AND FOR OTHER PURPOSES.
13

Subtitle

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16 TO PROVIDE AN EXEMPTION FOR RECREATIONAL
17 VEHICLE SPECIAL EVENTS.
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20 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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22 SECTION 1. Arkansas Code Title 23, Chapter 112, is amended to add an
23 additional subchapter to read as follows:

Subchapter 9

- Recreational Vehicle Special Events

23-112-901. Findings.

The General Assembly finds that:

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29 (1) A recreational vehicle special event sponsored by a city, county,
30 nonprofit entity, or recreational vehicle owners' organization draws people
31 from all over the state and other states;

32 (2) A recreational vehicle special event can provide a valuable
33 increase in tourism for the state; and

34 (3) The laws and rules related to the display and sale of recreational
35 vehicles at a recreational vehicle special event must be modified to lessen
36 the restrictions that are hampering economic growth.



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2 23-112-902. Definitions.

3 As used in this subchapter:

4 (1) "Nonprofit entity" means an entity that has received tax
5 exempt status from the Internal Revenue Service under section 501(c)(3) or
6 section (501)(c)(4) of the Internal Revenue Code of 1986, as it existed on
7 January 1, 2011;

8 (2) "Public venue" means a location that:

9 (A) Is open to the general public; and

10 (B) Is not the address designated as the primary business
11 address of a new motor vehicle dealer licensed by the Arkansas Motor Vehicle
12 Commission or a used motor vehicle dealer licensed by the Department of
13 Arkansas State Police;

14 (3) "Recreational vehicle owners' organization" means an entity
15 that is organized as a nonprofit entity or for-profit entity and in good
16 standing with the Secretary of State;

17 (4) "Recreational vehicle special event" means an event held at
18 a public venue with or without an admission fee that:

19 (A) Is sponsored by a city, a county, a nonprofit entity,
20 or a recreational vehicle owners' organization;

21 (B) Occurs for no more than seven (7) consecutive days;
22 and

23 (C) Includes any of the following that are invited to
24 attend:

25 (i) New recreational vehicle dealers to display and
26 sell recreational vehicles; or

27 (ii) New recreational vehicle manufacturers or
28 distributors to display recreational vehicles; and

29 (5) "Significant positive economic impact" means an economic
30 benefit of at least two million dollars (\$2,000,000) to the state or a region
31 of the state.

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33 23-112-903. Statements of estimated positive economic impact.

34 A statement of the estimated positive economic impact of a proposed
35 recreational vehicle special event shall be submitted to the Arkansas Motor
36 Vehicle Commission from an independent source such as a university, chamber

1 of commerce, or other entity that regularly engages in the estimation of the
2 economic benefit of an occurrence for businesses and industries.

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4 23-112-904. Significant positive economic impact determinations.

5 (a) If the statement of estimated positive economic impact that is
6 submitted to the Arkansas Motor Vehicle Commission establishes that a
7 recreational vehicle special event has a significant positive economic
8 impact, the recreational vehicle special event is exempt from regulation by
9 the commission as provided under § 23-112-905.

10 (b) If the statement of estimated positive economic impact that is
11 presented to the commission establishes that a recreational vehicle special
12 event will not have a significant positive economic impact, then the
13 commission shall determine whether the recreational vehicle special event is
14 exempt from this chapter and any rules promulgated by the commission.

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16 23-112-905. Authority to waive relevant market area and rules.

17 (a) The Arkansas Motor Vehicle Commission shall waive the following
18 for a recreational vehicle special event that has a significant positive
19 economic impact or is determined by the commission to otherwise qualify for
20 an exemption under § 23-112-904(b) if no franchised motor vehicle dealer of a
21 licensed manufacturer is represented in the host county of the recreational
22 vehicle special event or the counties contiguous to the host county:

23 (1) The provisions of this chapter regarding relevant market
24 area; and

25 (2) The rules regarding motor vehicle dealers in contiguous
26 counties.

27 (b)(1) The commission may promulgate rules for the issuance of a
28 temporary permit to out-of-state motor vehicle dealers and manufacturers to
29 participate in a recreational vehicle special event under this subchapter.

30 (2) The commission shall not promulgate a rule that puts a
31 greater burden on out-of-state motor vehicle dealers and manufacturers to
32 obtain a temporary permit than the requirements necessary for a motor vehicle
33 dealer or manufacturer to obtain a license from the commission.

34 (3) If the commission establishes fees for a temporary permit
35 under this subsection, the fees shall not exceed:

36 (A) For an out-of-state motor vehicle dealer, one hundred

1 dollars (\$100);

2 (B) For a manufacturer or distributor, two hundred fifty

3 dollars (\$250);

4 (C) For an out-of-state salesperson, fifteen dollars

5 (\$15.00); and

6 (D) For a factory representative or distributor

7 representative, fifty dollars (\$50.00).

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