

1 State of Arkansas  
2 88th General Assembly  
3 Regular Session, 2011

# A Bill

HOUSE BILL 1371

4  
5 By: Representative Kerr  
6

## For An Act To Be Entitled

8 AN ACT TO CREATE AN ALTERNATIVE PROCEDURE TO OBTAIN  
9 TITLE OF A MOTOR VEHICLE WHERE THERE IS A TOTAL LOSS  
10 SETTLEMENT; AND FOR OTHER PURPOSES.  
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12

## Subtitle

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14 ACT TO CREATE AN ALTERNATIVE PROCEDURE TO  
15 OBTAIN TITLE OF A MOTOR VEHICLE WHERE  
16 THERE IS A TOTAL LOSS SETTLEMENT.  
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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 Title 27, Chapter 14, Subchapter 23 is  
22 amended to add an additional section to read as follows:

23 27-14-2308. Alternative procedure to obtain title for a total loss  
24 settlement.

25 (a) If an insurance company makes a total loss settlement on a motor  
26 vehicle, the owner or lienholder of the motor vehicle shall forward the  
27 properly endorsed certificate of title to the insurance company within  
28 fifteen (15) days after receipt of the settlement funds.

29 (b)(1) If an insurance company is unable to obtain the properly  
30 endorsed certificate of title within thirty (30) days after disbursing a  
31 total loss settlement payment, the insurance company or its agent may request  
32 the Office of Motor Vehicle of the Revenue Division of the Department of  
33 Finance and Administration to issue a salvage certificate of title or a  
34 parts-only certificate of title for the vehicle.

35 (2) The request shall:

36 (A) Be submitted on each form required by and provided by



1 the Office of Motor Vehicle;

2 (B) Document that the insurance company has made at least  
3 two (2) written attempts to obtain the certificate of title and include the  
4 documentation with the request;

5 (C) Include any fees applicable to the issuance of a  
6 salvage certificate of title or a parts-only certificate of title; and

7 (D) Be signed under penalty of perjury.

8 (c) Upon receipt of a properly endorsed certificate of title or a  
9 properly executed request under subsection (b) of this section, the Office of  
10 Motor Vehicle shall issue a salvage certificate of title or a parts-only  
11 certificate of title for the vehicle in the name of the insurance company.

12 (d) The Office of Motor Vehicle may promulgate rules and forms for the  
13 administration of this section.