

State of Arkansas

As Engrossed: H2/21/11

88th General Assembly

A Bill

Regular Session, 2011

HOUSE BILL 1371

By: Representatives Kerr, *Hall, Summers, Sanders, Dale, Hopper, Hobbs, Westerman, English, Hickerson, Perry*

By: Senators J. Hutchinson, Rapert

For An Act To Be Entitled

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

Subtitle

ACT TO CREATE AN ALTERNATIVE PROCEDURE TO
OBTAIN TITLE OF A MOTOR VEHICLE WHERE
THERE IS A TOTAL LOSS SETTLEMENT.

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

SECTION 1. Arkansas Code Title 27, Chapter 14, Subchapter 23 is
amended to add an additional section to read as follows:

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

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

(b)(1) If an insurance company is unable to obtain the properly
endorsed certificate of title within thirty (30) days after disbursing a
total loss settlement payment for a motor vehicle that does not have a lien
or encumbrance on the certificate of title, the insurance company or its
agent may request the Office of Motor Vehicle of the Revenue Division of the
Department of Finance and Administration to issue a salvage certificate of



1 title or a parts-only certificate of title for the vehicle.

2 (2) The request shall:

3 (A) Be submitted on each form required by and provided by
4 the Office of Motor Vehicle;

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

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

10 (D) Be signed under penalty of perjury.

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

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

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18 /s/Kerr
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