

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

A Bill

SENATE BILL 592

4
5 By: Senator J. Dismang

For An Act To Be Entitled

8 AN ACT TO CLARIFY THE RIGHT OF OWNER'S PREFERENCE IN
9 REMOVAL OF A DISABLED OR INOPERATIVE VEHICLE; AND FOR
10 OTHER PURPOSES.

Subtitle

14 TO CLARIFY THE RIGHT OF OWNER'S
15 PREFERENCE IN REMOVAL OF A DISABLED OR
16 INOPERATIVE VEHICLE.

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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 § 27-50-1207(a)(2), concerning the removal of
22 disabled or inoperative vehicles, is amended to read as follows:

23 (2)(A) Any vehicle removal policy shall provide that owner
24 preference as defined by this subchapter shall be offered to the owner, to
25 his or her agent, or to any competent occupant of any disabled or inoperative
26 vehicle except in those instances ~~where an emergency exists~~ of exigent
27 circumstances or where the immediate clearing of a public thoroughfare
28 mandates an expedited towing service.

29 (B) In those instances where exigent circumstances or
30 where the immediate clearing of a public thoroughfare mandates an expedited
31 towing service, owner's preference shall be honored when the owner has
32 requested a towing service that is located in the particular towing zone
33 where services are to be rendered and is ready to promptly respond to the
34 request for services.

35 ~~(B)(1)(C)(1)~~ If a law enforcement officer fails to provide
36 an owner of a vehicle with an owner preference ~~in a nonemergency situation~~ as



1 required under this section, then the owner may file a complaint with the law
2 enforcement agency that employs the law enforcement officer or the Arkansas
3 Towing and Recovery Board, or both.

4 (2) Nothing in this subsection precludes a person who has
5 been denied the right of owner preference from seeking any other legal or
6 equitable remedy.

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