

1 State of Arkansas
2 89th General Assembly
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4
5 By: Representative Neal
6 By: Senator J. Woods
7

As Engrossed: H3/18/13

A Bill

HOUSE BILL 1460

For An Act To Be Entitled

9 AN ACT TO REQUIRE THE DRIVER'S LICENSE NUMBER OF THE
10 OWNER OF A MOTOR VEHICLE TO BE PRODUCED WHEN A MOTOR
11 *VEHICLE IS REGISTERED; AND FOR OTHER PURPOSES.*

Subtitle

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15 *TO REQUIRE A VALID DRIVER'S LICENSE FOR*
16 *MOTOR VEHICLE REGISTRATION.*

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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 § 27-14-705(b), concerning the application
22 for registration and certificate of title, is amended to read as follows:

23 (b) The application shall contain:

24 (1) The name, bona fide residence, and mailing address of the
25 owner or business address of the owner if a firm, association, or
26 corporation;

27 (2)(A) A description of the vehicle, including, insofar as the
28 data specified in this subsection may exist with respect to a given vehicle,
29 the make, model, type of body, the number of cylinders, the serial number of
30 the vehicle, the engine or other number of the vehicle designated to identify
31 vehicles for registration purposes, and whether new or used, and if a new
32 vehicle, a certificate of origin.

33 (B)(i) Except as provided under § 27-14-726, the
34 certificate of origin shall be furnished to the dealer by the manufacturer
35 and shall accompany the application for license and title.

36 (ii) Except as provided under § 27-14-726, ~~ne a~~



1 license for the operation of the vehicle shall not be granted and ~~ne~~ a
2 certificate of title shall not be issued unless the certificate of origin is
3 made a part of the application.

4 (C) The certificate of origin shall be on a form ~~to be~~
5 prescribed by the Commissioner of Motor Vehicles.

6 (D) In the event a vehicle is designed, constructed,
7 converted, or rebuilt for the transportation of property, the application
8 shall include a statement of ~~its~~ the vehicle's capacity in terms of maximum
9 gross vehicle weight rating as authorized by the manufacturer of the chassis
10 or the complete vehicle;

11 (3) A statement of the applicant's title and of all liens or
12 encumbrances upon the vehicle and the names and addresses of all persons
13 having any interest ~~therein~~ in the vehicle and the nature of every such
14 interest and the name and address of the person to whom the certificate of
15 title shall be delivered by the office;

16 (4)(A) Beginning on the first day of the first calendar month
17 following the effective date of this act, the driver's license number and
18 issuing official governmental entity for the owner for registration of the
19 following motor vehicles:

20 (i) Class One, Class Two, or Class Three pleasure
21 vehicles; and

22 (ii) Class One trucks.

23 (B) Subdivision (b)(4)(A) of this section does not apply
24 to an owner:

25 (i) That is a business entity, including without
26 limitation a corporation, an association, a partnership, a limited liability
27 company, a limited liability partnership, or other business entity; or

28 (ii) That holds a valid photo identification card
29 issued for an individual with a disability or a valid identification card
30 with a disabled parking endorsement issued under § 27-15-308; and

31 ~~(4)(A)(5)(A)~~ Further information as may reasonably be required
32 by the office to enable it to determine whether the vehicle is lawfully
33 entitled to registration and the owner entitled to a certificate of title.

34 (B) When ~~such~~ the application refers to a new vehicle
35 purchased from a dealer, the application shall be accompanied by a statement
36 by the dealer or a bill of sale showing any lien retained by the dealer and a

1 fee of fifty cents (50¢) in addition to the title.

2 (C) For the purposes of this section:

3 (i) ~~The words "new vehicle" shall be defined as~~ "New
4 vehicle" means any motor vehicle transferred for the first time from a
5 manufacturer or importer, or dealer or agent of a manufacturer or importer,
6 and which motor vehicle had ~~heretofore~~ not been used before, and is what is
7 commonly known as a "new motor vehicle"; and

8 (ii) ~~The words "used vehicle" shall be~~ "Used
9 vehicle" means any motor vehicle ~~which~~ that has been sold, bargained,
10 exchanged, given away, or the title transferred from the person who first
11 took ownership from the manufacturer or importer, dealer, or agent of the
12 manufacturer or importer, or so used as to have become what is commonly known
13 as a "secondhand motor vehicle".

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15 *SECTION 2.* Arkansas Code § 27-14-710 is amended to read as follows:

16 27-14-710. Grounds for refusing registration or certificate of title.

17 (a) As used in this section, "valid driver's license" means a driver's
18 license:

19 (1) Issued by:

20 (A) The Office of Motor Vehicle of the Department of
21 Finance and Administration;

22 (B) Another state;

23 (C) A branch of the armed services of the United States;

24 or

25 (D) A country with which the Department of Finance and
26 Administration has a reciprocal agreement for drivers' licenses under § 27-
27 16-809; and

28 (2) That is not currently expired, suspended, revoked, or
29 canceled.

30 (b) The ~~Office of Motor Vehicle~~ office shall refuse registration or
31 issuance of a certificate of title or any transfer of registration upon any
32 of the following grounds:

33 (1) That the application contains any false or fraudulent
34 statement or that the applicant has failed to furnish required information or
35 reasonable additional information requested by the office or that the
36 applicant is not entitled to the issuance of a certificate of title or

1 registration of the vehicle under this chapter;

2 (2) That the office has reasonable grounds to believe that the
3 vehicle is a stolen or embezzled vehicle or that the granting of registration
4 or the issuance of a certificate of title would constitute a fraud against
5 the rightful owner or other person having valid lien upon such vehicle;

6 (3) That the registration of the vehicle stands suspended or
7 revoked for any reason as provided in the motor vehicle laws of this state;

8 (4) That the required fee has not been paid; ~~or~~

9 (5) That the owner of a commercial motor vehicle has had his or
10 her authority to operate denied or suspended by the United States Department
11 of Transportation for safety-related violations; or

12 (6)(A) That the owner, if an individual or individuals with
13 joint ownership, does not have a valid driver's license.

14 (B) Subdivision (b)(6)(A) of this section does not apply
15 to a person that holds a valid photo identification card issued for an
16 individual with a disability or a valid identification card with a disabled
17 parking endorsement issued under § 27-15-308.

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19 SECTION 3. EFFECTIVE DATE. This act is effective on and after January
20 1, 2014.

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24 /s/Neal