

1 State of Arkansas
2 89th General Assembly
3 Regular Session, 2013
4

As Engrossed: H4/2/13 H4/5/13

A Bill

HOUSE BILL 2205

5 By: Representative Payton
6

For An Act To Be Entitled

8 AN ACT TO AMEND THE UNIFORM MOTOR VEHICLE
9 ADMINISTRATION, CERTIFICATE OF TITLE, AND ANTITHEFT
10 ACT, ARKANSAS CODE § 27-14-101 ET SEQ.; AND FOR OTHER
11 PURPOSES.
12
13

Subtitle

14 TO AMEND THE UNIFORM MOTOR VEHICLE
15 ADMINISTRATION, CERTIFICATE OF TITLE, AND
16 ANTITHEFT ACT, ARKANSAS CODE § 27-14-101
17 ET SEQ.
18
19
20

21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
22

23 *SECTION 1. Arkansas Code § 27-14-2301(6) and (7), concerning the*
24 *definitions used in disclosure of damage and repair on a certificate of*
25 *title, is amended to read as follows:*

26 *(6)(A) "Salvage vehicle" means a motor vehicle that is:*

27 *~~(A)(i) Water-damaged~~ Is water-damaged; or*

28 *~~(B)(ii) Sustains any other~~ Has sustained damage in*
29 *~~an amount equal to or exceeding~~ totaling at least four thousand dollars*
30 *~~(\$4,000) and at least~~ seventy percent (70%) of its average retail value as*
31 *~~determined under criteria established by rule of the Office of Motor Vehicle~~*
32 *listed in the current southwestern regional NADA Official Used Car Guide.*

33 *(B) A motor vehicle that has damage of at least one*
34 *hundred twenty percent (120%) of its average retail value as listed in the*
35 *current southwestern regional NADA Official Used Car Guide is considered a*
36 *parts-only salvage vehicle for tax purposes; and*



1 (7) ~~“Water-damaged” means damage to a motor vehicle caused by~~
2 ~~submerging or partially submerging the vehicle in water to the extent that~~
3 ~~the vehicle was submerged or partially submerged at any water level above the~~
4 ~~dashboard of the vehicle, regardless of the actual dollar amount of the~~
5 ~~damage~~ a motor vehicle damaged by water that:

6 (A) Saturated or contaminated an electronic or electrical
7 system necessary for the safe and reliable operation of the motor vehicle; or

8 (B) Rose to the point that it covered the sill and entered
9 the passenger compartment.

10
11 SECTION 2. Arkansas Code § 27-14-2302(a)(3), concerning the issuance
12 of a damage or salvage certificate of title, is amended to read as follows:

13 (3) ~~If a person other than an insurer owns a~~ The owner of a
14 salvage vehicle for which a salvage vehicle title has not been issued, the
15 ~~owner shall~~ may:

16 (A) surrender the certificate of title for the salvage
17 vehicle to the office within thirty (30) days following the date that the
18 motor vehicle became a salvage vehicle Assign the certificate of title to a
19 person licensed under § 27-14-2001 if that person surrenders the certificate
20 of title for the salvage vehicle to the office within thirty (30) days after
21 assignment of the salvage vehicle and obtains a salvage vehicle title under
22 this section; or

23 (B) Retain the salvage vehicle if the owner:

24 (i) Surrenders the certificate of title for the
25 salvage vehicle to the office within thirty (30) days after the date that the
26 motor vehicle became a salvage vehicle; and

27 (ii) Obtains a salvage vehicle title under this
28 section.

29
30 SECTION 3. Arkansas Code § 27-14-2302(g)(1), concerning the issuance
31 of a damage or salvage certificate of title, is amended to read as follows:

32 (g)(1) If an insurer has the responsibility under this subchapter to
33 surrender the certificate of title on a salvage vehicle for which it has
34 taken title or to notify the office that a motor vehicle is a salvage
35 vehicle, prior salvage vehicle, or “parts only” vehicle, the insurer or a
36 person licensed under § 27-14-2001 may delegate its responsibility to

1 *surrender the certificate of title or to notify the office to:*

2 *(A) a A servicing organization; or*

3 *(B) ~~to~~ a A buyer of the salvage vehicle from the insurer*
4 *if the buyer is licensed under § 27-14-2001 as a dealer or wrecker.*

5
6 *SECTION 4 Arkansas Code § 27-14-2302(h)(2), concerning the issuance of*
7 *a damage or salvage certificate of title, is repealed.*

8 *~~(2) An owner under this subsection may be an insurer that owns~~*
9 *~~the salvage vehicle.~~*

10
11 *SECTION 5. Arkansas Code § 27-14-2302, concerning the issuance of a*
12 *damage or salvage certificate of title, is amended to add an additional*
13 *subsection to read as follows:*

14 *(i) An owner under this section includes an insurer that owns the*
15 *salvage vehicle.*

16
17 *SECTION 6. Arkansas Code § 27-14-2305, concerning the applicability of*
18 *Subchapter 23 for the disclosure of damage and repair on a certificate of*
19 *title to motor vehicles, is amended to read as follows:*

20 *27-14-2305. Applicability of subchapter.*

21 *~~(a) The provisions of this subchapter shall not apply to motor~~*
22 *~~vehicles more than seven (7) model years old prior to the calendar year of~~*
23 *~~the occurrence.~~*

24 *~~(b) Any A title that is branded pursuant to under this subchapter~~*
25 *shall retain the brand on the title for the life of the vehicle.*

26
27
28 */s/Payton*