

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

A Bill

SENATE BILL 842

4
5 By: Senator A. Clark
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For An Act To Be Entitled

9 AN ACT TO EXTEND THE AUTHORITY TO COUNTIES TO
10 REGULATE THE MANNER A PROPERTY OWNER OR OTHER PERSON
11 CONTROLLING THE PROPERTY REMOVES A VEHICLE,
12 IMPLEMENT, OR PIECE OF MACHINERY; TO MAKE TECHNICAL
13 CORRECTIONS; AND FOR OTHER PURPOSES.
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Subtitle

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17 TO EXTEND THE AUTHORITY TO COUNTIES TO
18 REGULATE THE MANNER A PROPERTY OWNER OR
19 OTHER PERSON CONTROLLING THE PROPERTY
20 REMOVES A VEHICLE, IMPLEMENT, OR PIECE OF
21 MACHINERY.
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24 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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26 SECTION 1. Arkansas Code § 27-50-1101(a)(1)(B)(i), concerning
27 nonconsensual towing of a vehicle, implement, or piece of machinery, is
28 amended to read as follows:

29 (B)(i) A county, city of the first class, city of the
30 second class, or incorporated town by ordinance may regulate the manner that
31 a property owner or other person controlling the property removes a vehicle,
32 implement, or piece of machinery:
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34 SECTION 2. Arkansas Code § 27-50-1101(a)(1)(B)(i)(a)(2), concerning
35 nonconsensual towing of a vehicle, implement, or piece of machinery, is
36 amended to read as follows:



1 (2) The amount of towing and storage
 2 charges, including the towing charge, the storage charge, the administrative
 3 fee, and any other fee that may be charged, to be assessed against the owner
 4 or operator of the vehicle, implement, or piece of machinery removed from the
 5 property, with the difference between the charges allowed by the county,
 6 city, or incorporated town and the actual towing and storage charges to be
 7 assessed to the property owner or other person controlling the property that
 8 requested the removal of the vehicle; and

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 10 SECTION 3. Arkansas Code § 27-50-1101(a)(3)(C)(i), concerning
 11 nonconsensual towing of a vehicle, implement, or piece of machinery, is
 12 amended to read as follows:

13 (i) Notwithstanding any provision of law to the
 14 contrary and to the extent that the county, city of the first class, city of
 15 the second class, or incorporated town enacted an ordinance that limits the
 16 amount of towing and storage charges assessed against the owner or operator
 17 of the vehicle, implement, or piece of machinery, the towing and storage
 18 company shall have a first priority possessory lien limited to the amount
 19 allowed under the ordinance.

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 21 SECTION 4. Arkansas Code § 27-50-1101(b), concerning nonconsensual
 22 towing of a vehicle, implement, or piece of machinery, is amended to read as
 23 follows:

24 (b) A county or city attorney may refer a possible violation of this
 25 section or an ordinance enacted under this section to the Arkansas Towing and
 26 Recovery Board for investigation.