

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

As Engrossed: S3/21/13

# A Bill

SENATE BILL 938

5 By: Senator B. Sample  
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## For An Act To Be Entitled

8 AN ACT TO AMEND THE LAWS CONCERNING REGULATION OF  
9 TOWING AND RECOVERY; TO AMEND THE LAWS CONCERNING  
10 TOWING AND RECOVERY; AND FOR OTHER PURPOSES.  
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## Subtitle

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14 TO AMEND THE LAWS CONCERNING REGULATION  
15 OF TOWING AND RECOVERY; AND TO AMEND THE  
16 LAWS CONCERNING TOWING AND RECOVERY.  
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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 § 27-50-1203(a) and (b), concerning the*  
22 *creation of the Arkansas Towing and Recovery Board, are amended to read as*  
23 *follows:*

24 *(a)(1) There is hereby created the Arkansas Towing and Recovery Board*  
25 *consisting of ~~nine (9)~~ seven (7) members appointed by the Governor and*  
26 *confirmed by the Senate, who shall serve terms of three (3) years.*

27 *(2)(A) ~~Four (4)~~ Two (2) members shall be appointed from the*  
28 *~~towing industry and shall be licensed by the board to engage in nonconsent~~*  
29 *~~towing, with one (1) each of the members being a resident of each of the four~~*  
30 *~~(4) congressional districts shall be appointed from the state at large.~~*

31 *(B) Two (2) members who are permitted to engage in the*  
32 *consent-only business shall be appointed from the state at large.*

33 *(C) ~~Two (2) members~~ One (1) member ~~who are~~ not associated*  
34 *with the towing industry shall be appointed from the state at large.*

35 *(D) ~~One~~ Two (1) ~~member~~ members shall be appointed from*  
36 *the insurance industry.*

37 *(b)(1) The appointed board members shall be residents of the State of*  
38 *Arkansas at the time of appointment and throughout their terms.*

39 *(2)(A) During the term of appointment to the board, a member*  
40 *shall not hold office in, serve in an executive or representative capacity*  
41 *for, or hold a position in any nongovernmental towing industry organization.*

42 *(B) This subdivision (b)(2) does not limit a member of the*



1 board from being a member in a nongovernmental towing industry organization.

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3 SECTION 2. Arkansas Code § 27-50-1203(e)(1), concerning the Arkansas  
4 Towing and Recovery Board, is amended to add two additional subdivisions to  
5 read as follows:

6 (H) Requiring all entities permitted, licensed, or  
7 regulated under this subchapter to maintain personnel at storage facilities  
8 for eight (8) hours between the hours of 8:00 a.m. to 5:00 p.m. on any day  
9 for which storage fees are charged; and

10 (I) Requiring all entities permitted, licensed, or  
11 regulated under this subchapter to charge storage fees only for each twenty-  
12 four-hour period following the time the entity takes possession of a vehicle,  
13 implement, or piece of machinery.

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15 /s/B. Sample  
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