

1 State of Arkansas
2 91st General Assembly
3 Regular Session, 2017
4

A Bill

HOUSE BILL 2158

5 By: Representative McNair
6

For An Act To Be Entitled

8 AN ACT TO AMEND THE LAW CONCERNING THE SALE OR
9 REMOVAL OF CERTAIN PERSONAL PROPERTY ABANDONED IN A
10 SELF-SERVICE STORAGE FACILITY; TO AUTHORIZE ISSUANCE
11 OF NEW TITLE TO THE PURCHASER; TO DECLARE AN
12 EMERGENCY; AND FOR OTHER PURPOSES.
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Subtitle

15 TO AMEND THE LAW CONCERNING THE SALE OR
16 REMOVAL OF CERTAIN PERSONAL PROPERTY
17 ABANDONED IN A SELF-SERVICE STORAGE
18 FACILITY; TO AUTHORIZE THE ISSUANCE OF
19 NEW TITLE TO THE PURCHASER; AND TO
20 DECLARE AN EMERGENCY.
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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 § 18-16-407(a), concerning the sale and
27 removal procedure of personal property, is amended to read as follows:

28 (a) Except for the sale or removal of personal property authorized
29 under § 18-16-412, ~~Before~~ before conducting a sale or removal of personal
30 property under § 18-16-406, the operator shall:
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32 SECTION 2. Arkansas Code Title 18, Chapter 16, Subchapter 4, is
33 amended to add an additional section to read as follows:

34 18-16-412. Sale and removal procedure of a vehicle.
35 A self-service storage facility may sell or remove a vehicle of a type
36 subject to registration under the laws of this state using the procedure for



1 the sale or removal of a vehicle by a towing and storage form as provided in
2 § 27-50-1101 and §§ 27-50-1208 - 27-50-1210.

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4 SECTION 2. EMERGENCY CLAUSE. It is found and determined by the
5 General Assembly of the State of Arkansas that the current law concerning the
6 sale or removal of a vehicle by a self-service storage facility does not
7 authorize the issuance of a new certificate of title to the vehicle purchaser
8 and, accordingly, self-service storage facilities are unable to sell
9 abandoned vehicles resulting in irreparable harm to these businesses by
10 causing a loss of income and storage space; and that this act is immediately
11 necessary to allow the sale or removal of abandoned vehicles. Therefore, an
12 emergency is declared to exist and this act being immediately necessary for
13 the preservation of the public peace, health, and safety shall become
14 effective on:

15 (1) The date of its approval by the Governor;

16 (2) If the bill is neither approved nor vetoed by the Governor,
17 the expiration of the period of time during which the Governor may veto the
18 bill; or

19 (3) If the bill is vetoed by the Governor and the veto is
20 overridden, the date the last house overrides the veto.

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