

1 State of Arkansas  
2 93rd General Assembly  
3 Regular Session, 2021  
4

As Engrossed: S3/17/21

# A Bill

HOUSE BILL 1355

5 By: Representative Dotson  
6

## For An Act To Be Entitled

8 AN ACT TO AMEND THE ARKANSAS MOTOR VEHICLE COMMISSION  
9 ACT; TO AMEND THE RECREATIONAL VEHICLE FRANCHISE ACT;  
10 TO REMOVE LICENSING REQUIREMENTS FOR A MOTOR VEHICLE  
11 SALESPERSON AND A RECREATIONAL VEHICLE SALESPERSON;  
12 TO CREATE THE AUTOMOTIVE TECHNOLOGIST EDUCATION GRANT  
13 PROGRAM AND THE AUTOMOTIVE TECHNOLOGIST EDUCATION  
14 GRANT FUND; AND FOR OTHER PURPOSES.  
15

## Subtitle

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17  
18 TO REMOVE LICENSING REQUIREMENTS FOR A  
19 MOTOR VEHICLE SALESPERSON AND A  
20 RECREATIONAL VEHICLE SALESPERSON; AND TO  
21 CREATE THE AUTOMOTIVE TECHNOLOGIST  
22 EDUCATION GRANT PROGRAM AND FUND.  
23  
24

25 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
26

27 SECTION 1. Arkansas Code Title 19, Chapter 5, Subchapter 12, is  
28 amended to add an additional section to read as follows:

29 19-5-1269. Automotive Technologist Education Grant Fund.

30 (a) There is established on the books of the Treasurer of State, the  
31 Auditor of State, and the Chief Fiscal Officer of the State a fund to be  
32 known as the "Automotive Technologist Education Grant Fund".

33 (b) The Arkansas Motor Vehicle Commission shall periodically remit to  
34 the Treasurer of State five percent (5%) of the fees the commission collects  
35 from the issuance of licenses by the commission, and the Treasurer of State  
36 shall deposit those funds into the fund.



1           (c) The commission may receive gifts, grants, bequests, devises, and  
2 donations made to the commission, amounts received as matching funds from  
3 eligible organizations participating in the Automotive Technologist Education  
4 Grant Program under § 25-30-110, and any other funds authorized by law to be  
5 used in the furtherance of the purposes of the program.

6           (d) In addition, the commission may accept gifts, grants, or donations  
7 from the United States Government or agencies of the United States Government  
8 and private individuals, foundations, or concerns to be used for the purposes  
9 of the program.

10           (e) The fund may be used by the commission to issue Automotive  
11 Technologist Education Grants for the program.

12  
13           SECTION 2. Arkansas Code § 23-112-102(b), concerning the purpose and  
14 legislative findings of the Arkansas Motor Vehicle Commission Act, is amended  
15 to read as follows:

16           (b) The General Assembly further finds and declares that it is  
17 necessary, in the exercise of its police power, to regulate and to license  
18 motor vehicle manufacturers, factory branches and divisions, distributors,  
19 distributor branches and divisions, distributor representatives, and new  
20 motor vehicle dealers, ~~and salespersons~~ doing business in Arkansas in order  
21 to:

22                   (1) Prevent frauds, unfair practices, discrimination,  
23 impositions, and other abuses upon the citizens of Arkansas;

24                   (2) Avoid undue control of the independent motor vehicle dealer  
25 by motor vehicle manufacturing and distributing organizations;

26                   (3) Foster and keep alive vigorous and healthy competition;

27                   (4) Prevent the creation or perpetuation of monopolies;

28                   (5) Prevent the practice of requiring the buying of special  
29 features, accessories, special models, appliances, and equipment not desired  
30 by a motor vehicle dealer or the ultimate purchaser;

31                   (6) Prevent false and misleading advertising;

32                   (7) Promote and keep alive a sound system of distribution of  
33 motor vehicles to the public; and

34                   (8) Promote the public safety and welfare.

35  
36           SECTION 3. Arkansas Code § 23-112-103(23), concerning the definition

1 of "motor vehicle salesperson" under the Arkansas Motor Vehicle Commission  
2 Act, is repealed.

3 ~~(23) "Motor vehicle salesperson" means any person who:~~  
4 ~~(A) Is employed as a salesperson by a motor vehicle dealer~~  
5 ~~whose duties include the selling or offering for sale of motor vehicles;~~  
6 ~~(B) For compensation of any kind, acts as a salesperson,~~  
7 ~~agent, or representative of a motor vehicle dealer;~~  
8 ~~(C) Attempts to or in fact negotiates a sale of a motor~~  
9 ~~vehicle owned partially or entirely by a motor vehicle dealer;~~  
10 ~~(D) Uses the financial resources, line of credit, or floor~~  
11 ~~plan of a motor vehicle dealer to purchase, sell, or exchange any interest in~~  
12 ~~a motor vehicle; and~~  
13 ~~(E) Is employed by a motor vehicle dealer as a salesperson~~  
14 ~~for whom a motor vehicle dealer requires to have licensure for simultaneous~~  
15 ~~employment as a finance manager, insurance manager, service manager, parts~~  
16 ~~manager, or other specified office personnel concerned with the sale of a~~  
17 ~~motor vehicle under this chapter;~~

18

19 SECTION 4. Arkansas Code Title 23, Chapter 112, Subchapter 2, is  
20 amended to add an additional section to read as follows:

21 23-112-205. Automotive Technologist Education Grant Program.

22 (a) The Automotive Technologist Education Grant Program is established  
23 within the Arkansas Motor Vehicle Commission.

24 (b)(1) The commission shall use the Automotive Technologist Education  
25 Grant Program to provide discretionary grants to career education programs  
26 with a focus on training in the automotive technology field.

27 (2) A discretionary grant provided under subdivision (b) (1) of  
28 this section shall be known as an "Automotive Technologist Education Grant".

29 (c) An educational program is eligible for an Automotive Technologist  
30 Education Grant if:

31 (1) The educational program is an approved technical program  
32 that provides training in the field of automotive repair and technology and  
33 operates at a public school, a secondary technical center, or an institution  
34 of higher education;

35 (2) The educational program submits an application for an  
36 Automotive Technologist Education Grant;

1           (3) The use and purpose of the Automotive Technologist Education  
2 Grant is detailed in the application; and

3           (4) The amount of funding needed is provided in the application.

4           (d) Grants provided under this section are contingent on the  
5 availability of funding.

6           (e) The Office of Skills Development, the Division of Career and  
7 Technical Education, and the Division of Higher Education shall jointly  
8 create an application form for an Automotive Technologist Education Grant.

9           (f) The Office of Skills Development, the Division of Career and  
10 Technical Education, and the Division of Higher Education shall jointly  
11 review and make recommendations on applications for an Automotive  
12 Technologist Education Grant to the commission for approval.

13           (g) The amount of an Automotive Technologist Education Grant may vary  
14 among applicants based on available funding and grant priorities.

15           (h) The commission shall disburse an Automotive Technologist Education  
16 Grant directly to the approved applicant within thirty (30) days of approval.

17           (i) The commission shall award Automotive Technologist Education  
18 Grants under this subchapter.

19           (j) An educational program that receives an Automotive  
20 Technologist Education Grant shall provide the commission an accounting  
21 report of how an Automotive Technologist Education Grant is spent within one  
22 (1) year of receipt of the Automotive Technologist Education Grant.

23           (k)(1) Annually, the commission shall file a written report with  
24 the Legislative Council based on information provided to the commission from  
25 the Office of Skills Development, the Division of Career and Technical  
26 Education, and the Division of Higher Education.

27           (2) The report under subdivision (k)(1) of this section shall  
28 include:

29                   (A) The number of applications received;

30                   (B) The amount of funding that was received;

31                   (C) The amount of funding that was awarded; and

32                   (D) Any other information requested by the Legislative  
33 Council.

34  
35           SECTION 5. Arkansas Code § 23-112-301(a)(2), concerning required  
36 licenses under the Arkansas Motor Vehicle Commission Act, is amended to read

1 as follows:

2 (2) For any person to engage in business as, serve in the  
3 capacity of, or act as a new motor vehicle dealer, ~~motor vehicle salesperson,~~  
4 motor vehicle lessor, manufacturer, importer, distributor, factory branch or  
5 division, distributor branch or division, factory representative, distributor  
6 representative, second-stage manufacturer, or converter, as such, in Arkansas  
7 without first obtaining a license therefor as provided in this chapter,  
8 regardless of whether or not the person maintains or has a place of business  
9 in Arkansas.

10

11 SECTION 6. Arkansas Code § 23-112-301(d), concerning required licenses  
12 under the Arkansas Motor Vehicle Commission Act, is amended to read as  
13 follows:

14 (d)(1) ~~No person may~~ A person shall not engage in the business of  
15 buying, selling, or exchanging motor vehicles, unless he or she:

16 (A) Holds a valid motor vehicle dealer license issued by  
17 the commission for the makes of motor vehicles being bought, sold, or  
18 exchanged; or

19 (B) Is a bona fide employee or agent of the ~~licensee~~  
20 licensed motor vehicle dealer.

21 (2) ~~For purposes of~~ As used in this subsection, "engage in the  
22 business of buying, selling, or exchanging motor vehicles" means:

23 (A) Displaying for sale motor vehicles on a lot or  
24 showroom;

25 (B) Advertising for sale new motor vehicles regardless of  
26 the medium used; or

27 (C) Regularly or actively soliciting buyers for motor  
28 vehicles.

29

30 SECTION 7. Arkansas Code § 23-112-303(c) and (d), concerning required  
31 license application fees under the Arkansas Motor Vehicle Commission Act, are  
32 amended to read as follows:

33 (c) The schedule of license fees to be charged and received by the  
34 Arkansas Motor Vehicle Commission for the licenses issued ~~pursuant to~~ under  
35 this subchapter shall be as follows:

36 (1) For each manufacturer, distributor, factory branch and

1 division, or distributor branch and division, second-stage manufacturer,  
2 importer, and converter, nine hundred dollars (\$900);

3 (2) For each motor vehicle dealer or motor vehicle lessor, one  
4 hundred dollars (\$100);

5 (3) For each manufacturer, distributor, or factory  
6 representative, four hundred dollars (\$400);

7 ~~(4) For each motor vehicle salesperson, fifteen dollars~~  
8 ~~(\$15.00);~~

9 ~~(5)~~ For each branch location, twenty-five dollars (\$25.00); and

10 ~~(6)~~(5) For each replacement certificate of license, ten dollars  
11 (\$10.00).

12 (d)(1) ~~Any~~ A person, firm, or corporation required to be licensed  
13 under this subchapter ~~who~~ that fails to make application for the license at  
14 the time required shall pay a penalty of fifty percent (50%) of the amount of  
15 the license fee for each thirty (30) days of default, in addition to the fees  
16 required to be paid ~~pursuant to~~ under subsection (c) of this section.

17 (2) ~~However, the~~ The penalty under subdivision (d)(1) of this  
18 section may be waived, in whole or in part, within the discretion of the  
19 commission.

20 ~~(2) License applications for sales personnel shall be received~~  
21 ~~in the commission office within thirty (30) days of employment.~~

22  
23 SECTION 8. Arkansas Code § 23-112-306 is repealed.

24 ~~23-112-306. Display of license—Change of employer—Salesperson.~~

25 ~~(a) Every motor vehicle salesperson shall have his or her license upon~~  
26 ~~his or her person or displayed at his or her place of employment, except as~~  
27 ~~provided in this section, when engaged in his or her business and shall~~  
28 ~~display the license upon request. The name and address of the applicant shall~~  
29 ~~be stated on the license.~~

30 ~~(b) In case of a change of employer, the following procedure shall be~~  
31 ~~adhered to:~~

32 ~~(1) Within three (3) days following the change, the licensee~~  
33 ~~shall notify in writing the Arkansas Motor Vehicle Commission for its~~  
34 ~~endorsement;~~

35 ~~(2) Within three (3) days following the termination of~~  
36 ~~employment of the licensee, the last employer of the licensee shall make a~~

1 ~~report to the commission setting forth the reasons why the services of the~~  
2 ~~licensee were terminated and such other information as may be required by the~~  
3 ~~commission;~~

4 ~~(3) Upon receipt by the commission of the licensee's written~~  
5 ~~notification and the last employer's report, the commission shall determine~~  
6 ~~if it has grounds to believe, and does believe, that the licensee is no~~  
7 ~~longer qualified under the provisions of this chapter as a motor vehicle~~  
8 ~~salesperson. Under such circumstances, the commission shall immediately~~  
9 ~~notify the licensee and the licensee's new employer in writing that a hearing~~  
10 ~~will be held for the purpose of determining whether his or her license should~~  
11 ~~be revoked or suspended, specifying the grounds for revocation or suspension,~~  
12 ~~as the case may be, and the time and place for the hearing. The hearing and~~  
13 ~~any and all appeals by the licensee with respect thereto shall be in~~  
14 ~~accordance with the provisions of § 23-112-501 et seq.; and~~

15 ~~(4)(A) If, after the commission receives the licensee's license~~  
16 ~~and fee and his or her last employer's report, the Executive Director of the~~  
17 ~~Arkansas Motor Vehicle Commission cannot for any reason endorse and mail to~~  
18 ~~the licensee his or her license within a period of three (3) days following~~  
19 ~~the receipt by the commission of the licensee's license and fee and his or~~  
20 ~~her last employer's report, then and in that event the executive director~~  
21 ~~shall mail to the licensee a permit in such form as the commission shall~~  
22 ~~prescribe.~~

23 ~~(B) The permit shall serve in lieu of a license until such~~  
24 ~~time as the commission endorses and mails the license to the licensee, or~~  
25 ~~until such time as the licensee's license is revoked or suspended in~~  
26 ~~accordance with the provisions of this chapter.~~

27 ~~(C) If the license is ultimately revoked or suspended,~~  
28 ~~then immediately upon the revocation or suspension the licensee shall return~~  
29 ~~the permit to the commission for cancellation.~~

30 ~~(e) The commission shall maintain a permanent file with respect to~~  
31 ~~each licensed motor vehicle salesperson. Each file shall contain all~~  
32 ~~pertinent information with respect to the fitness and qualifications of each~~  
33 ~~licensee for the use by the commission in determining from time to time~~  
34 ~~whether his or her license should be revoked or suspended.~~

35 ~~(d) There is no intent under this chapter to prevent a salesperson who~~  
36 ~~has not previously been licensed as a salesperson from selling during the~~

1 ~~time required to process his or her application. The applicant shall be~~  
 2 ~~allowed to sell from the date of employment as long as the applicant and his~~  
 3 ~~or her dealer follow the procedure for license application.~~

4  
 5 SECTION 9. Arkansas Code § 23-112-307 is amended to read as follows:  
 6 23-112-307. Expiration of license.

7 Unless the Arkansas Motor Vehicle Commission by rule provides to the  
 8 contrary, all licenses issued to:

9 (1) Manufacturers, distributors, factory or distributor  
 10 branches, importers, second-stage manufacturers, converters, and their  
 11 representatives expire June 30 following the date of issue; and

12 (2) Motor vehicle dealers, ~~motor vehicle salespersons~~, and motor  
 13 vehicle lessors expire December 31 following the date of issue.

14  
 15 SECTION 10. Arkansas Code § 23-112-308(a)(1)(A), concerning the  
 16 denial, revocation, and suspension of licenses under the Arkansas Motor  
 17 Vehicle Commission Act, is amended to read as follows:

18 (1)(A) For selling or soliciting sales of a motor vehicle  
 19 without:

20 (i) a A motor vehicle dealer license issued by the  
 21 commission; or

22 (ii) Being a bona fide employee or agent of a  
 23 licensed motor vehicle dealer.

24  
 25 SECTION 11. Arkansas Code § 23-112-402 is amended to read as follows:  
 26 23-112-402. ~~Dealer and salesperson~~ Motor vehicle dealer.

27 It ~~shall be~~ is unlawful for a motor vehicle dealer ~~or a motor vehicle~~  
 28 ~~salesperson:~~

29 (1)(A) To require a purchaser of a motor vehicle, as a condition  
 30 of sale and delivery ~~thereof~~ of the motor vehicle, to also purchase special  
 31 features, appliances, equipment, parts, or accessories not desired or  
 32 requested by the purchaser.

33 (B) ~~However, this prohibition shall not apply as the~~  
 34 prohibition under subdivision (1)(A) of this section does not apply to  
 35 special features, appliances, equipment, parts, or accessories ~~which~~ that are  
 36 already installed on the ~~car~~ motor vehicle when received by the motor vehicle



1 dealer;

2 (2) To represent and sell as a new motor vehicle any motor  
3 vehicle ~~which~~ that has been used and operated for demonstration purposes or  
4 ~~which~~ that is otherwise a used motor vehicle; or

5 (3) To resort to or use any false or misleading advertisement in  
6 connection with his or her business as a motor vehicle dealer ~~or motor~~  
7 ~~vehicle salesperson.~~

8

9 SECTION 12. Arkansas Code § 23-112-1002(2), concerning the General  
10 Assembly's police power to regulate certain entities under the Recreational  
11 Vehicle Franchise Act, is amended to read as follows:

12 (2) It is necessary, in the exercise of the General Assembly's  
13 police power, to regulate and to license recreational vehicle manufacturers,  
14 factory branches and divisions, distributors, distributor branches and  
15 divisions, distributor representatives, and dealers, ~~and salespersons~~ doing  
16 business in Arkansas to:

17 (A) Prevent fraud, unfair practices, discrimination,  
18 impositions, and other abuses upon the citizens of Arkansas;

19 (B) Foster and keep alive vigorous and healthy  
20 competition;

21 (C) Prevent the creation or perpetuation of monopolies;

22 (D) Prevent the practice of requiring the buying of  
23 special features, accessories, special models, appliances, and equipment not  
24 desired by a recreational vehicle dealer or the ultimate purchaser;

25 (E) Prevent false and misleading advertising;

26 (F) Promote and keep alive a sound system of distribution  
27 of recreational vehicles to the public; and

28 (G) Promote the public safety and welfare.

29

30 SECTION 13. Arkansas Code § 23-112-1003(16)-(20), concerning the  
31 various definitions under the Recreational Vehicle Franchise Act, are amended  
32 to read as follows:

33 (16) ~~"Recreational vehicle salesperson" means a person who+~~

34 ~~(A) Is employed by a dealer as a salesperson whose duties~~  
35 ~~include the selling or offering for sale of recreational vehicles;~~

36 ~~(B) For compensation of any kind acts as a salesperson;~~

1 ~~agent, or representative of a dealer;~~

2 ~~(C) Attempts to or in fact negotiates a sale of a~~  
3 ~~recreational vehicle owned partially or entirely by a dealer; and~~

4 ~~(D) Uses the financial resources, line of credit, or floor~~  
5 ~~plan of a dealer to purchase, sell, or exchange an interest in a recreational~~  
6 ~~vehicle;~~

7 ~~(17)~~ “Supplier” means a person, firm, corporation, or business  
8 entity that engages in the manufacturing of recreational vehicle parts,  
9 accessories, or components;

10 ~~(18)~~(17) “Transient customer” means a person who:

11 (A) Owns a recreational vehicle;

12 (B) Is temporarily traveling through a dealer’s area of  
13 sales responsibility;

14 (C) Engages a dealer to perform service work on that  
15 recreational vehicle; and

16 (D) Requires repairs that relate to the safe operation of  
17 that recreational vehicle that, if not undertaken are of a nature that would  
18 render that recreational vehicle unusable for its intended purpose;

19 ~~(19)~~(18) “Travel trailer” means a recreational vehicle designed  
20 to be towed by a motorized vehicle; and

21 ~~(20)~~~~(A)~~(19)(A) “Warrantor” means a person, firm, corporation, or  
22 business entity, including without limitation a manufacturer or supplier,  
23 that provides a written warranty to the consumer in connection with a new  
24 recreational vehicle or accessories, parts, or components of a new  
25 recreational vehicle.

26 (B) “Warrantor” does not include service contracts,  
27 mechanical or other insurance, or extended warranties sold for separate  
28 consideration by a dealer or other person not controlled by a manufacturer.

29  
30 SECTION 14. Arkansas Code § 23-112-1004(a)(2), concerning unlawful  
31 acts regarding license requirements under the Recreational Vehicle Franchise  
32 Act, is amended to read as follows:

33 (2) Engaging in ~~the~~ business as, serving in the capacity of, or  
34 acting as a new recreational vehicle dealer, ~~recreational vehicle~~  
35 ~~salesperson~~, recreational vehicle manufacturer, recreational vehicle  
36 distributor, recreational vehicle factory representative, or recreational

1 vehicle manufacturer representative in this state without first obtaining a  
2 license as provided in this subchapter; or

3

4 SECTION 15. Arkansas Code § 23-112-1004(c)(1)(A), concerning license  
5 requirements and application fees under the Recreational Vehicle Franchise  
6 Act, is amended to read as follows:

7 (A) Holds a valid dealer license issued by the Arkansas  
8 Motor Vehicle Commission for the make of recreational vehicles being bought,  
9 sold, or exchanged; or

10

11 SECTION 16. Arkansas Code § 23-112-1004(d)(3)(D)-(F), concerning  
12 license requirements and application fees under the Recreational Vehicle  
13 Franchise Act, are amended to read as follows:

14 (D) ~~For each recreational vehicle salesperson, fifteen~~  
15 ~~dollars (\$15.00);~~

16 ~~(E) For each branch location, twenty-five dollars~~  
17 ~~(\$25.00); and~~

18 ~~(F)(E) For each replacement certificate of license, ten~~  
19 ~~dollars (\$10.00).~~

20

21 SECTION 17. Arkansas Code § 23-112-1008 is repealed.

22 ~~23-112-1008. Display of license—Change of employer—Salesperson.~~

23 ~~(a)(1) Except as provided in this section, a recreational vehicle~~  
24 ~~salesperson shall have his or her license upon his or her person or displayed~~  
25 ~~at his or her place of employment when engaged in his or her business and~~  
26 ~~shall display the license upon request.~~

27 ~~(2) The name and address of the applicant shall be stated on the~~  
28 ~~license.~~

29 ~~(b) In case of a change of employer, the following procedure shall be~~  
30 ~~followed:~~

31 ~~(1) Within three (3) days following the change of employer, the~~  
32 ~~licensee shall notify in writing the Arkansas Motor Vehicle Commission for~~  
33 ~~its endorsement;~~

34 ~~(2) Within three (3) days following the termination of~~  
35 ~~employment of the licensee, the last employer of the licensee shall make a~~  
36 ~~report to the commission setting forth the reasons that the services of the~~

1 ~~licensee were terminated and such other information as may be required by the~~  
2 ~~commission;~~

3 ~~(3)(A) Upon receipt by the commission of the licensee's written~~  
4 ~~notification and the last employer's report, the commission shall determine~~  
5 ~~if it has grounds to believe, and does believe, that the licensee is no~~  
6 ~~longer qualified under this subchapter as a recreational vehicle salesperson.~~

7 ~~(B) Under such circumstances, the commission shall~~  
8 ~~immediately notify the licensee and the licensee's new employer in writing~~  
9 ~~that a hearing will be held for the purpose of determining whether his or her~~  
10 ~~license should be revoked or suspended, specifying the grounds for revocation~~  
11 ~~or suspension, as the case may be, and the time and place for the hearing.~~

12 ~~(C) The hearing and any appeal by the licensee with~~  
13 ~~respect to the hearing shall comply with § 23-112-501 et seq.; and~~

14 ~~(4)(A) If after the commission receives the licensee's license~~  
15 ~~and fee and his or her last employer's report the Executive Director of the~~  
16 ~~Arkansas Motor Vehicle Commission cannot for any reason endorse and mail to~~  
17 ~~the licensee his or her license within a period of three (3) days following~~  
18 ~~the receipt by the commission of the licensee's license and fee and his or~~  
19 ~~her last employer's report, then the executive director shall mail to the~~  
20 ~~licensee a permit in such form as the commission shall prescribe.~~

21 ~~(B) The permit shall serve in lieu of a license until such~~  
22 ~~time as the:~~

23 ~~(i) Commission endorses and mails the license to the~~  
24 ~~licensee; or~~

25 ~~(ii) Licensee's license is revoked or suspended in~~  
26 ~~accordance with this subchapter.~~

27 ~~(C) If the license is ultimately revoked or suspended,~~  
28 ~~then immediately upon the revocation or suspension the licensee shall return~~  
29 ~~the permit to the commission for cancellation.~~

30 ~~(c)(1) The commission shall maintain a permanent file with respect to~~  
31 ~~each licensed recreational vehicle salesperson.~~

32 ~~(2) Each file shall contain all pertinent information with~~  
33 ~~respect to the fitness and qualifications of each licensee for use by the~~  
34 ~~commission in determining whether his or her license should be revoked or~~  
35 ~~suspended.~~

36 ~~(d)(1) There is no intent under this subchapter to prevent a~~

1 ~~salesperson who has not previously been licensed as a salesperson from~~  
2 ~~selling during the time required to process his or her application.~~

3 ~~(2) The applicant shall be allowed to sell from the date of~~  
4 ~~employment as long as the applicant and his or her dealer follow the~~  
5 ~~procedure for license application.~~

6  
7 SECTION 18. Arkansas Code § 23-112-1009(2), concerning the expiration  
8 of a license under the Recreational Vehicle Franchise Act, is amended to read  
9 as follows:

10 (2) Recreational vehicle dealers ~~and salespersons~~ expire  
11 December 31 following the date of issue.

12  
13 SECTION 19. Arkansas Code § 23-112-1019(a)(1)(A), concerning the  
14 denial, revocation, and suspension of a license under the Recreational  
15 Vehicle Franchise Act, is amended to read as follows:

16 (1)(A) Selling or soliciting sales of a recreational vehicle  
17 without:

18 (i) a A dealer license issued by the commission; or  
19 (ii) Being a bona fide employee or agent of a  
20 licensed dealer.

21  
22 SECTION 20. Arkansas Code § 23-112-1019(a)(15), concerning the denial,  
23 revocation, and suspension of a license under the Recreational Vehicle  
24 Franchise Act, is amended to read as follows:

25 (15) For a person representing that he or she is a dealer ~~or~~  
26 ~~salesperson~~, either verbally or in an advertisement, when the person is not  
27 licensed as a dealer ~~or salesperson~~;

28  
29 SECTION 21. Arkansas Code § 25-30-102(a), concerning powers and duties  
30 of the Office of Skills Development and the Career Education and Workforce  
31 Development Board, is amended to add an additional subdivision to read as  
32 follows:

33 (12) Review and approve Automotive Technologist Education Grant  
34 applications.

35  
36 /s/Dotson