

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

As Engrossed: H4/7/21

A Bill

HOUSE BILL 1811

5 By: Representatives Christiansen, Watson
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For An Act To Be Entitled

8 AN ACT TO AMEND THE LAW CONCERNING THE REQUIREMENTS
9 FOR A TOW BUSINESS TO GIVE PUBLIC NOTICE IN CERTAIN
10 CIRCUMSTANCES; TO ALLOW PUBLIC NOTICE TO BE GIVEN ON
11 A WEBSITE; AND FOR OTHER PURPOSES.
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Subtitle

14 TO AMEND THE LAW CONCERNING THE
15 REQUIREMENTS FOR A TOW BUSINESS TO GIVE
16 PUBLIC NOTICE IN CERTAIN CIRCUMSTANCES;
17 AND TO ALLOW PUBLIC NOTICE TO BE GIVEN ON
18 A WEBSITE.
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22 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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24 SECTION 1. Arkansas Code § 27-50-1101(a)(3)(B)(iv), concerning the
25 publication of notice to an unknown owner before towing an abandoned or
26 unattended implement or piece of machinery, is amended to read as follows:

27 (iv) If information on the owner or owners of an
28 implement or piece of machinery that is in the possession of a towing and
29 storage company is not available ~~pursuant to~~ under subdivisions (a)(2)(D)-(E)
30 of this section, the towing and storage company shall provide notice by
31 *publication in a newspaper of general circulation in the region from where*
32 *the implement or piece of machinery was removed and posting on the website*
33 *that is sponsored and managed by the Arkansas Towing and Recovery Board for*
34 *that purpose.*
35

36 SECTION 2. Arkansas Code § 27-50-1203(e)(1), concerning the creation



1 and duties of the Arkansas Towing and Recovery Board, is amended to add an
2 additional subdivision to read as follows:

3 (K) Establishing a website that is sponsored and managed
4 by the Arkansas Towing and Recovery Board for a towing business to post the
5 notice required by § 27-50-1101 and § 27-50-1201 et seq.
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7 SECTION 3. Arkansas Code § 27-50-1208(d)(2), concerning the notice
8 required to an unknown owner of a vehicle when the towing and storage firm
9 has a possessory lien attached to the vehicle, is amended to read as follows:

10 (2)(A) For the purpose of notices required by this section, if
11 the data records of the Office of Motor Vehicle or the office of motor
12 vehicles for the state where the vehicle is registered, if known, do not
13 contain any information as to the last known registered owner or owners and
14 lienholder or lienholders, notice is sufficient under this section if the
15 notice is provided by publication one (1) time in one (1) newspaper of
16 general circulation in the county where the vehicle was found unattended,
17 abandoned, or improperly parked ~~is sufficient notice under this section and~~
18 by posting on the website sponsored and managed by the Arkansas Towing and
19 Recovery Board for that purpose.

20 (B)(i) The notice by publication may contain multiple
21 listings of vehicles, shall be published within the time requirements
22 prescribed for notice by certified mail, and shall have the same contents
23 required for a notice by certified mail.

24 (ii) A towing business using the website to post
25 notice under subdivision (d)(2)(A) of this section shall:

26 (a) Be licensed by the board under § 27-50-
27 1203; and

28 (b) Pay a reasonable fee for each notice
29 posted on the website in an amount to be determined by the board.
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31 SECTION 4. Arkansas Code § 27-50-1209(f), concerning the notice to an
32 owner or lienholder of the foreclosure of a possessory lien by a towing and
33 storage firm, is amended to read as follows:

34 (f) In addition to the notice by mail, notice of the sale shall be
35 published in a newspaper of general circulation in the county at least one
36 (1) time at least ten (10) days prior to the sale and shall be posted on the

1 website that is sponsored and managed by the Arkansas Towing and Recovery
2 Board for that purpose.

3 /s/Christiansen
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