

Stricken language would be deleted from and underlined language would be added to present law.

State of Arkansas
89th General Assembly
Regular Session, 2013

As Engrossed: S3/21/13
A Bill

SENATE BILL 938

By: Senator B. Sample

For An Act To Be Entitled

AN ACT TO AMEND THE LAWS CONCERNING REGULATION OF TOWING AND RECOVERY; TO AMEND THE LAWS CONCERNING TOWING AND RECOVERY; AND FOR OTHER PURPOSES.

Subtitle

TO AMEND THE LAWS CONCERNING REGULATION OF TOWING AND RECOVERY; AND TO AMEND THE LAWS CONCERNING TOWING AND RECOVERY.

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

SECTION 1. Arkansas Code § 27-50-1203(a) and (b), concerning the creation of the Arkansas Towing and Recovery Board, are amended to read as follows:

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

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

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

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

(D) ~~One~~ Two (1) (2) member ~~members~~ shall be appointed from the insurance industry.



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

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

(B) This subdivision (b)(2) does not limit a member of the board from being a member in a nongovernmental towing industry organization.

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

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

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

/s/B. Sample