

State of Arkansas
94th General Assembly
Regular Session, 2023

A Bill

SENATE BILL 237

By: Senator A. Clark

For An Act To Be Entitled

AN ACT CONCERNING VEHICLES, BOATS, OR FARMING
EQUIPMENT WITH A REMOVED, DAMAGED, MUTILATED, OR
DEFACED SERIAL NUMBER OR VEHICLE IDENTIFICATION
NUMBER; AND FOR OTHER PURPOSES.

Subtitle

CONCERNING VEHICLES, BOATS, OR FARMING
EQUIPMENT WITH A REMOVED, DAMAGED,
MUTILATED, OR DEFACED SERIAL NUMBER OR
VEHICLE IDENTIFICATION NUMBER.

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

SECTION 1. Arkansas Code § 5-37-521 is amended to read as follows:

5-37-521. Farm implements – Removal or alteration of serial number.

(a) ~~Any~~ A person who knowingly buys, receives, disposes of, sells, offers for sale, or has in his or her possession any tractor, trailer, or other farm implement, or engine removed from the tractor or farm implement, from which the manufacturer's serial or engine number or other distinguishing number or identification mark or number placed on the tractor, trailer, or farm implement or engine has been removed, defaced, covered, altered, or destroyed for the purpose of concealing or misrepresenting the identity of the tractor, trailer, or farm implement or engine upon conviction is guilty of a Class A ~~misdemeanor~~ D felony.

(b)(1) ~~No person with fraudulent intent shall~~ A person shall not deface, destroy, or alter the manufacturer's serial or engine number or other distinguishing number or identification mark of a tractor, trailer, or other



farm implement with the purpose to defraud another person.

(2) ~~No person~~ A person shall not place or stamp any fictitious or unauthorized serial, engine, or other number or distinguishing mark with the ~~intention~~ purpose that the fictitious or unauthorized serial, engine, or other number or distinguishing mark pass for a number or mark placed on a tractor, trailer, or farm implement by the manufacturer of the tractor, trailer, or farm implement.

(3)(A) This subsection does not prohibit the restoration by an owner or repairer of an original serial, engine, or other number or distinguishing mark.

(B) However, this subsection is designed to prohibit and prevent the fraudulent removal or alteration of a mark or number placed on a tractor, trailer, or other farm implement by the manufacturer.

~~(c) Any~~

~~(4) A person found guilty of a violation of a provision of this section~~ this subsection is ~~guilty of a Class A misdemeanor~~ D felony.

SECTION 2. Arkansas Code § 27-14-2210 is amended to read as follows:
27-14-2210. Vehicles or engines without manufacturer's numbers.

~~(a) Any~~ A person who knowingly buys, receives, disposes of, sells, offers for sale, or has in his or her possession ~~any~~ a motor vehicle or engine removed from a motor vehicle from which the manufacturer's serial or engine number or other distinguishing number or identification mark or number placed thereon under assignment from the Office of Motor Vehicle has been removed, defaced, covered, altered, or destroyed for the purpose of concealing or misrepresenting the identity of the motor vehicle or engine upon conviction is guilty of a ~~misdemeanor~~.

~~(b) Any person who pleads guilty or nolo contendere to or is found guilty of a second or subsequent offense shall be guilty of a Class D felony.~~

SECTION 3. Arkansas Code § 27-14-2212 is amended to read as follows:
27-14-2212. Mutilation of serial numbers.

(a)(1) ~~It shall be unlawful for any~~ A person, firm, or corporation ~~to~~ shall not have in its possession an automobile, automobile tires, or ~~gasoline~~ an engine, the motor ~~and serial number of which have been~~ number or serial number of which have been mutilated to the extent that it cannot be read.

(2) When ~~any~~ an automobile, automobile tires, or ~~an~~ gasoline engine has been stolen and recovered and the serial numbers found mutilated, the court ~~where the case may be tried shall have power to~~ may authorize the rightful owner of the automobile tires ~~or~~ and accessories to continue ~~the use of them~~ to use the automobile tires.

(3) The court shall also direct that the owner of the ~~car~~ automobile ~~have~~ have the original serial numbers restenciled on the engine, motor, or ~~car~~ automobile.

~~(b) Any person convicted of violating subsection (a) of this section shall be deemed guilty of a felony and punished by imprisonment in the Division of Correction for not less than one (1) year nor more than five (5) years~~ A person who violates this section upon conviction is guilty of a Class D felony.

SECTION 4. Arkansas Code § 27-101-703 is amended to read as follows:

27-101-703. Boating equipment without boating equipment identification ~~numbers~~ number.

~~(a) It is unlawful for a person to~~ A person shall not knowingly buy, receive, dispose of, sell, offer for sale, or have in his or her possession boating equipment on which the boat identification number has been removed, defaced, covered, altered, or destroyed for the purpose of concealing or misrepresenting the identity of the boating equipment.

~~(b)(1) A person who pleads guilty or nolo contendere to or is found guilty of a violation under subsection (a) of this section is guilty of a Class A misdemeanor.~~

~~(2) A person who pleads guilty or nolo contendere to or is found guilty of a second or subsequent offense under~~ of violating this section is guilty of a Class D felony.