

1 **State of Arkansas**  
2 **79th General Assembly**  
3 **Regular Session, 1993**  
4 **By: Representative Calhoun**

# A Bill

**ACT 357 OF 1993**  
**HOUSE BILL 1590**

## For An Act To Be Entitled

8 "AN ACT TO AMEND ARKANSAS CODE § 27-22-104 TO PROVIDE FOR  
9 THE IMPOUNDMENT OF LICENSE PLATES UPON A FAILURE TO SHOW  
10 PROOF OF MOTOR VEHICLE LIABILITY INSURANCE AND TO PROVIDE  
11 FOR THE ISSUANCE OF TEMPORARY STICKERS IN LIEU OF THE  
12 LICENSE PLATE; AND FOR OTHER PURPOSES."

## Subtitle

14 **"AN ACT TO PROVIDE FOR THE IMPOUNDMENT OF**  
15 **LICENSE PLATES UPON A FAILURE TO SHOW PROOF OF**  
16 **MOTOR VEHICLE LIABILITY INSURANCE AND TO ISSUE**  
17 **TEMPORARY STICKERS."**

19  
20 **BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:**

21  
22 **SECTION 1. Arkansas Code § 27-22-104 is hereby amended to read as follows:**  
23 **"27-22-104. Insurance required - Minimum coverage.**

24 **(a) It shall be unlawful for any person to operate a motor vehicle within this state**  
25 **unless the person is covered by a certificate of self-insurance under the provisions of §**  
26 **27-19-107, or an insurance policy issued by an insurance company or surety company**  
27 **authorized to do business in this state. Failure to present proof of insurance coverage at the**  
28 **time of arrest creates a rebuttable presumption that the motor vehicle operator is uninsured.**

29 **(b) The policy shall provide, as a minimum, the following coverage:**

30 **(1) Not less than twenty-five thousand dollars (\$25,000) for bodily injury or**  
31 **death of one (1) person in any one (1) accident;**

32 **(2) Not less than fifty thousand dollars (\$50,000) for bodily injury or death of**  
33 **two (2) or more persons in any one (1) accident;**

34 **(3) If the accident has resulted in injury to or destruction of property, not less**  
35 **than fifteen thousand dollars (\$15,000) for the injury to or destruction of property of others**  
36 **in any one (1) accident.**

1           **(c) If the operator of the motor vehicle is unable to present proof of insurance coverage**  
2 **as required in subsection (a) of this section when requested by a law enforcement officer, the**  
3 **operator shall be issued, in addition to any traffic citation issued for a violation of this section,**  
4 **a notice of noncompliance with the provisions of this section on a form to be provided to the**  
5 **Department of Finance and Administration. The officer shall forward a copy of the notice of**  
6 **noncompliance to the Department within ten (10) days of issuance. In addition, the officer**  
7 **shall remove and impound the license plate attached to the vehicle. The license plate shall be**  
8 **returned to the Office of Driver Services of the Department or the local Revenue office.**

9           **(d) The law enforcement officer who removes and impounds the license plate pursuant**  
10 **to subsection (c) shall issue for attachment to the rear of the vehicle, a temporary sticker**  
11 **denoting its use in lieu of an official license plate. The sticker shall bear a date upon which it**  
12 **was issued in written or stamped numerals or alphabetic characters not less than three (3)**  
13 **inches in height. This temporary sticker shall only be effective for a period of ten (10) days**  
14 **beginning from the day on which the license plate was taken. The temporary stickers shall be**  
15 **designed by the Department of Finance and Administration and supplied, at no cost, to all law**  
16 **enforcement agencies authorized to enforce traffic laws in Arkansas.**

17           **(e) Upon receipt of the notice of noncompliance by the Department of Finance and**  
18 **Administration, the Department shall proceed to suspend the registration of the uninsured**  
19 **vehicle effective ten (10) days after the license plate was taken and the notice of noncompliance**  
20 **was issued. However, if the vehicle was insured at the time of the offense, the owner of the**  
21 **vehicle shall have ten (10) days to present proof of insurance coverage or other financial**  
22 **security in effect at the time of the offense, whereupon the license plate shall be returned at no**  
23 **cost to the owner of the vehicle.**

24           **(f) Any suspension by the Department under this section shall be subject to the notice**  
25 **and hearing provisions of Arkansas Code § 27-14-404 and shall remain in effect and no**  
26 **registration shall be renewed for or issued to any person whose vehicle registration is so**  
27 **suspended until:**

28                   **(1) The person shall deposit or there shall be deposited on his behalf sufficient**  
29 **security as provided for under the Motor Vehicle Safety Responsibility Act, Arkansas Code §**  
30 **27-19-101 et seq.; or**

31                   **(2) The person shall furnish the Department one of the following:**

32                           **(A) A certificate of self-insurance under the provisions of Arkansas Code**  
33 **§ 27-19-107; or**

34                           **(B) A sufficient insurance policy issued by an insurance company or**  
35 **surety company authorized to do business in this state.**

