

INTERIM STUDY PROPOSAL 2013-112

1  
2 State of Arkansas  
3 89th General Assembly  
4 Regular Session, 2013

*As Engrossed: S3/21/13*

**A Bill**

SENATE BILL 938

5  
6 By: Senator B. Sample

7 Filed with: Senate Committee on Transportation, Technology and Legislative Affairs  
8 pursuant to A.C.A. §10-3-217.

**For An Act To Be Entitled**

9  
10 AN ACT TO AMEND THE LAWS CONCERNING REGULATION OF  
11 TOWING AND RECOVERY; TO AMEND THE LAWS CONCERNING  
12 TOWING AND RECOVERY; AND FOR OTHER PURPOSES.

**Subtitle**

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15 TO AMEND THE LAWS CONCERNING REGULATION  
16 OF TOWING AND RECOVERY; AND TO AMEND THE  
17 LAWS CONCERNING TOWING AND RECOVERY.  
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21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

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

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

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

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

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

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

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

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

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

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

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

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

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23 /s/B. Sample  
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26 Referred by the Arkansas Senate

27 Prepared by: GAR/VJF  
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