

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

1 State of Arkansas
2 85th General Assembly
3 Regular Session, 2005

A Bill

HOUSE BILL 1248

4
5 By: Representative L. Smith
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For An Act To Be Entitled

9 AN ACT TO ALLOW MUNICIPALITIES TO REGULATE
10 NONCONSENSUAL TOWING AND STORAGE; AND FOR OTHER
11 PURPOSES.
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Subtitle

13 TO ALLOW MUNICIPALITIES TO REGULATE
14 NONCONSENSUAL TOWING AND STORAGE.
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18 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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20 SECTION 1. Arkansas Code Title 14, Chapter 54, Subchapter 14 is
21 amended to add an additional section to read as follows:

22 14-54-1412. Regulation of nonconsensual towing and storage.

23 (a) For the purposes of this section:

24 (1) "Municipality" means a city of the first class, a city of
25 the second class, or an incorporated town;

26 (2) "Nonconsensual storage" means the resulting storage of a
27 vehicle pursuant to a nonconsensual towing; and

28 (3)(A) "Nonconsensual towing" means the towing of a motor
29 vehicle where the owner or operator has not agreed to:

30 (i) The towing of his or her vehicle; or

31 (ii) The towing of his or her vehicle by a
32 particular towing company or wrecker service.

33 (B) "Nonconsensual towing" includes towing or wrecker
34 service requisitioned by a law enforcement officer.

35 (b)(1) A municipality may enact an ordinance or regulation that
36 regulates nonconsensual towing or nonconsensual storage within the



1 municipality.

2 (2) The ordinance or regulation may include a nonconsensual
3 towing or nonconsensual storage fee schedule.

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