

1 State of Arkansas
2 95th General Assembly
3 Regular Session, 2025
4

A Bill

HOUSE BILL 1688

5 By: Representative Cavanaugh
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For An Act To Be Entitled

9 AN ACT TO AMEND ARKANSAS LAW CONCERNING THE USE OF A
10 DEALER'S EXTRA LICENSE PLATE; AND FOR OTHER PURPOSES.
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Subtitle

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13 TO AMEND ARKANSAS LAW CONCERNING THE USE
14 OF A DEALER'S EXTRA LICENSE PLATE.
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17 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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19 SECTION 1. Arkansas Code § 27-14-1704 is amended to read as follows:
20 27-14-1704. Dealer's extra license plates.

21 (a) Each dealer as defined in § 27-14-601(a)(6) shall furnish the
22 Secretary of the Department of Finance and Administration with a list of each
23 ~~manager, sales manager, and salesperson~~ user authorized under this section to
24 operate ~~a motor vehicle~~ one (1) or more new or used motor vehicles to which a
25 dealer's extra license plate issued to the dealer has been or will be
26 attached:

27 (1) Upon initial application for dealer's extra license plates
28 as provided in § 27-14-1702; and

29 (2) Upon renewal of dealer's extra license plates as provided in
30 § 27-14-1703.

31 (b) (1) The dealer's extra license plate may be used only by the
32 dealer, ~~manager, or salesperson~~ and the owners, officers, managers, or
33 salespersons of the dealer and only for the following authorized purposes:

34 ~~(1)(A)~~ To drive to and from work;

35 ~~(2)(B)~~ For business or personal trips inside or outside
36 the dealer's county of residence;



- 1 ~~(3)~~(C) To transport the vehicle; ~~or~~
- 2 ~~(4)~~(D) To demonstrate the vehicle;
- 3 (E) To drive the vehicle in community related events,
- 4 including without limitation parades, car shows, festivals, fairs, trade
- 5 shows, and school or university events; or
- 6 (F) To comply with a manufacturer's terms of dealership
- 7 sales and service agreements.

8 (2) "Manager" under subdivision (b)(1) of this section includes
 9 without limitation a regional manager, a division manager, a department
 10 manager, and a sales manager.

11 (c) Neither the dealer's extra license plate issued under this section
 12 nor the dealer's master plate issued under § 27-14-601(a)(6) shall be used
 13 for purposes of allowing a prospective buyer to test drive a vehicle unless
 14 the dealer, ~~manager, or salesperson~~ or an owner, officer, manager, or
 15 salesperson of the dealer is present in the vehicle.

16 (d) In addition to any other penalty prescribed by this chapter, any
 17 dealer, ~~manager, salesperson, or employee~~ or owner, officer, manager, or
 18 salesperson of a dealer who pleads guilty or nolo contendere to or who is
 19 found guilty of the misuse of a dealer's extra license plate or dealer's
 20 master plate or of allowing anyone else to misuse a dealer's extra license
 21 plate or dealer's master plate shall be fined not more than two hundred fifty
 22 dollars (\$250) for the first offense, not more than five hundred dollars
 23 (\$500) for the second offense, and not more than one thousand dollars
 24 (\$1,000) for the third and subsequent offenses.

25 (e)(1)(A) In addition to any other penalty prescribed by this chapter,
 26 the secretary may suspend some or all of the dealer's extra license plates
 27 issued to a dealer if the secretary determines that the dealer ~~or any~~
 28 ~~manager, sales manager, or salesperson~~ or an owner, officer, manager, or
 29 salesperson of the dealer either misused a dealer's extra license plate or
 30 allowed the use of a dealer's extra license plate by a person who is not
 31 authorized by this section to use a dealer's extra license plate.

32 (B) A suspension of the dealer's extra license plates
 33 under this section does not require that the dealer's master license plate be
 34 suspended.

35 (C) The secretary shall:

36 (i) Notify the dealer in writing of a suspension of

1 the dealer's extra license plates that is authorized under this section; and

2 (ii) Provide information regarding the misuse or
3 unauthorized use upon which the suspension was based in the notice.

4 (D) The dealer's extra license plates shall be suspended
5 for:

6 (i) Six (6) months for the first misuse or
7 unauthorized use of the dealer's extra license plates; or

8 (ii) One (1) year for any subsequent misuse or
9 unauthorized use.

10 (2)(A) Any dealer who desires a hearing on the suspension shall
11 notify the secretary in writing within twenty (20) days after receipt of the
12 notice of suspension.

13 (B) A hearing officer appointed by the secretary shall
14 schedule a hearing in an office of the Revenue Division of the Department of
15 Finance and Administration in the county of the dealer's principal place of
16 business, unless the secretary and the dealer agree to another location for
17 the hearing or agree that the hearing shall be held by telephone.

18 (C) Hearings conducted under this section shall be subject
19 to the Arkansas Administrative Procedure Act, § 25-15-201 et seq.

20 (D) The hearing officer shall render his or her decision
21 in writing to modify, reverse, or affirm the suspension of the dealer's extra
22 license plates based upon the evidence presented at the hearing and shall
23 serve a copy of the decision on the dealer.

24 (3)(A)(i) If the decision sustains, in whole or in part, the
25 suspension of the dealer's extra license plates, the dealer may file suit
26 within thirty (30) days of receipt of the decision in the Pulaski County
27 Circuit Court or the circuit court of the county of the dealer's principal
28 place of business.

29 (ii) The dealer shall serve a copy of the petition on
30 the secretary.

31 (iii) The appeal will not operate as a stay of the
32 order of suspension that will remain in effect and be terminated only in the
33 event a decision reversing the suspension is issued by the circuit court.

34 (B) An appeal from the circuit court shall be in
35 accordance with the laws governing appeals.

36 (f) Any and all uses of a new or used motor vehicle for sale to which

1 a dealer's extra license plate has been attached, including without
2 limitation use by persons authorized under subdivision (b)(1) of this section
3 and use by persons not authorized under subdivision (b)(1) of this section,
4 shall not constitute a withdrawal from stock and are otherwise exempt from
5 the Arkansas gross receipts tax levied by the Arkansas Gross Receipts Act of
6 1941, § 26-52-101 et seq., and the Arkansas compensating use tax levied by
7 the Arkansas Compensating Tax Act of 1949, § 26-53-101 et seq.

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