Arkansas Motor Vehicle and Traffic Laws and State Highway Commission Regulations (Page xxxii)

TOWING
Provides that all tow vehicles used for commercial purposes must be permitted through the Arkansas Towing and Recovery Board; updates the definition of "consent tow" to exclude repossessions of vehicles; creates a repossession towing license and a certificate of registration for consent towing. [HB 1560 amends §§ 27-50-1201, 27-50-1202, 27-50

Arkansas Towing and Recovery Board Rules

1.29 "COMMERCIAL PURPOSES" means towing, recovery or transporting of a vehicle that is associated with a business regardless of the current vehicle's ownership status or whether charges were paid by a third party for services.

1.30 "PERSONAL USE" means towing, recovery or transporting of a vehicle that is not associated with a business and is not used for commercial purposes as defined in this section.

Arkansas Motor Vehicle and Traffic Laws and State Highway Commission Regulations (Page 682)

Section 27-50-1212 - Criminal penalties

(a) It shall be unlawful for a person to:

(1) Operate a tow vehicle in violation of this subchapter;

(2) Operate a tow vehicle without obtaining a tow vehicle safety permit as required by the rules of the Arkansas Towing and Recovery Board;

(3) Operate a business engaging in nonconsent towing of vehicles without first obtaining the proper tow business license as required by the rules of the board;

(4) Give false or forged evidence to the board or to any member or an employee thereof for the purpose of obtaining a license or a tow vehicle safety permit;

(5) Use or attempt to use an expired, suspended, or revoked license or tow vehicle safety permit; or

(6) Violate or aid or abet any violation of this subchapter.

(b) The Division of Arkansas State Police, the Arkansas Highway Police Division of the Arkansas Department of Transportation, and county and municipal authorities may enforce § 27-50-1101 et seq. and this subchapter.

(c) A person who pleads guilty or nolo contendere to or is found guilty of any violation under this section shall be guilty of a misdemeanor and shall be sentenced to pay a fine of not less than fifty dollars ($50.00) nor more than five hundred dollars ($500) or to be imprisoned for a period not exceeding ninety (90) days, or both.

(d) The fines imposed and collected under this section shall be remitted as follows:

(1) Fifty percent (50%) to the Administration of Justice Funds Section by the tenth day of each month on a form provided by the Administration of Justice Funds Section for deposit into the Arkansas Towing and Recovery Board treasury fund; and

(2) Fifty percent (50%) to the law enforcement agency issuing the violation.

(e) Each day of an unlawful practice proscribed by this section shall constitute a distinct and separate offense.