

ARKANSAS 2007 REGULAR SESSION - 86TH GENERAL ASSEMBLY

ACT 340

HOUSE BILL 1453

2007 Ark. ALS 340; 2007 Ark. Acts 340; 2007 Ark. HB 1453

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

[*1] SECTION 1. Arkansas Code Title 27, Chapter 24, is amended to add an additional subchapter to read as follows:

[A> 27-24-1501. PURPOSE. <A]

[A> THE PURPOSE OF THIS SUBCHAPTER IS TO: <A]

[A> (1) CONTINUE THE STREET ROD SPECIAL LICENSE PLATES THAT EXISTED BEFORE THE EFFECTIVE DATE OF THIS ACT; AND <A]

[A> (2) MAKE MODIFICATIONS THAT ARE NECESSARY TO THE LAW BECAUSE OF INDUSTRY ADVANCEMENTS AND THE GROWING POPULARITY OF STREET RODS. <A]

[A> 27-24-1502. DEFINITIONS. <A]

[A> AS USED IN THIS SUBCHAPTER: <A]

[A> (1) "BLUE DOT TAIL LIGHT" MEANS A RED LAMP INSTALLED IN THE REAR OF A MOTOR VEHICLE CONTAINING A BLUE OR PURPLE INSERT THAT IS NOT MORE THAN ONE INCH IN DIAMETER. <A]

[A> (2) "CUSTOM VEHICLE" MEANS A MOTOR VEHICLE THAT: <A]

[A> (A)(I) IS AT LEAST 25 YEARS OLD AND OF A MODEL YEAR AFTER 1948; OR <A]

[A> (II) WAS MANUFACTURED TO RESEMBLE A VEHICLE 25 OR MORE YEARS OLD AND OF A MODEL YEAR AFTER 1948; AND <A]

[A> (B)(I) HAS BEEN ALTERED FROM THE MANUFACTURERS ORIGINAL DESIGN; OR <A]

[A> (II) HAS A BODY CONSTRUCTED FROM NON-ORIGINAL MATERIALS. <A]

[A> (3) "STREET ROD" MEANS A MOTOR VEHICLE THAT: <A]

[A> (A) IS A 1948 OR OLDER VEHICLE OR THE VEHICLE WAS MANUFACTURED AFTER 1948 TO RESEMBLE A VEHICLE MANUFACTURED BEFORE 1949; AND <A]

[A> (B) HAS BEEN ALTERED FROM THE MANUFACTURER'S ORIGINAL DESIGN OR HAS A BODY CONSTRUCTED FROM NONORIGINAL MATERIALS; AND <A]

[A> 27-24-1503. APPLICATION -- ISSUANCE -- RENEWAL -- REPLACEMENT. <A]

[A> (A)(1) THE OWNER OF A STREET ROD OR A CUSTOM VEHICLE WHO IS A RESIDENT OF THE STATE OF ARKANSAS MAY APPLY FOR AND ANNUALLY RENEW A SPECIAL LICENSE PLATE OR A SPECIAL LICENSE PLATE THAT BEARS A DECAL THAT IS ISSUED UNDER THIS SUBCHAPTER. <A]

[A> (2) THE APPLICATION FOR REGISTRATION OF A STREET ROD OR A CUSTOM VEHICLE UNDER THIS SUBCHAPTER SHALL INCLUDE AN AFFIDAVIT TO BE COMPLETED BY THE OWNER OF THE VEHICLE WHICH STATES THAT THE VEHICLE: <A]

[A> (A) WILL BE MAINTAINED FOR OCCASIONAL TRANSPORTATION, EXHIBITIONS, CLUB ACTIVITIES, PARADES, TOURS, OR SIMILAR USES; AND <A]

[A> (B) WILL NOT BE USED FOR GENERAL DAILY TRANSPORTATION. <A]

[A> (B)(1) AN APPLICANT FOR A SPECIAL LICENSE PLATE OR FOR A SPECIAL LICENSE PLATE THAT BEARS A DECAL UNDER THIS SUBCHAPTER SHALL REMIT TO THE OFFICE PAYMENT OF A ONE-TIME INITIAL FEE OF FIFTY DOLLARS (\$ 50.00) FOR EACH VEHICLE. <A]

[A> (2) AN APPLICANT FOR RENEWAL OF A SPECIAL LICENSE PLATE ISSUED UNDER SECTION 27-15-4003 SHALL NOT BE REQUIRED TO RESUBMIT THIS INITIAL FEE. <A]

[A> (C) THE OFFICE OF MOTOR VEHICLE SHALL FURNISH TO THE OWNER OF A STREET ROD OR CUSTOM VEHICLE WHO COMPLIES WITH THE REQUIREMENTS OF SUBSECTIONS (A) AND (B) OF THIS SECTION A SPECIAL LICENSE PLATE OR SPECIAL LICENSE PLATE THAT BEARS A DECAL TO BE DISPLAYED ON THE STREET ROD OR CUSTOM VEHICLE IN LIEU OF THE USUAL LICENSE PLATE. <A]

[A> (D) TO RENEW A SPECIAL LICENSE PLATE OR A SPECIAL LICENSE PLATE THAT BEARS A DECAL ISSUED UNDER THIS SUBCHAPTER OR UNDER PRIOR LAW, THE OWNER OF THE MOTOR VEHICLE SHALL REMIT AN ANNUAL FEE OF TWENTY-FIVE DOLLARS (\$ 25.00). <A]

[A> (E) TO REPLACE A SPECIAL LICENSE PLATE OR A SPECIAL LICENSE PLATE THAT BEARS A DECAL ISSUED UNDER THIS SUBCHAPTER, THE OWNER OF THE STREET ROD OR CUSTOM VEHICLE SHALL REMIT TO THE OFFICE A FEE OF TEN DOLLARS (\$ 10.00) IF THE REGISTRATION HAS NOT EXPIRED; OR <A]

[A> (2) THE OWNER OF THE STREET ROD OR CUSTOM VEHICLE SHALL REMIT TO THE OFFICE THE FEES STATED IN SUBSECTION (D) OF THIS SECTION IF THE REGISTRATION HAS EXPIRED. <A]

[A> (F)(1) THE FEE REMITTED TO THE OFFICE UNDER SUBDIVISION (E) OF THIS SECTION SHALL BE DEPOSITED INTO THE STATE CENTRAL SERVICES FUND FOR THE BENEFIT OF THE REVENUE DIVISION OF THE DEPARTMENT OF FINANCE AND ADMINISTRATION. <A]

[A> (2) THE FEE SHALL BE CREDITED AS SUPPLEMENTAL AND IN ADDITION TO ALL OTHER FUNDS DEPOSITED FOR THE BENEFIT OF THE DIVISION. <A]

[A> (3) THE FEE SHALL NOT BE CONSIDERED OR CREDITED TO THE DIVISION AS DIRECT REVENUE. <A]

[A> (G) THE REGISTRATION OF A SPECIAL LICENSE PLATE OR A SPECIAL LICENSE PLATE THAT BEARS A DECAL ISSUED UNDER THIS SUBCHAPTER MAY: <A]

[A> (1) CONTINUE FROM YEAR TO YEAR AS LONG AS IT IS RENEWED EACH YEAR WITHIN THE TIME AND MANNER REQUIRED BY LAW; AND <A]

[A> (2) BE RENEWED AS PROVIDED UNDER SECTIONS 27-14-1012 AND 27-14-1013. <A]

[A> (H) A STREET ROD OR CUSTOM VEHICLE SHALL NOT BE ELIGIBLE FOR ANY OTHER LICENSING OF A MOTOR VEHICLE EXCEPT AS PROVIDED IN THIS SUBCHAPTER. <A]

[A> (I) THE OFFICE OF MOTOR VEHICLE SHALL CONSULT WITH THE STREET ROD COMMUNITY AND CUSTOM VEHICLE COMMUNITY IN THE STATE BEFORE CHANGING THE DESIGN OF THE SPECIAL LICENSE PLATE OR SPECIAL LICENSE PLATE DECAL ISSUED UNDER THIS SUBCHAPTER. <A]

[A> 27-24-1504. TITLING. <A]

[A> (A) THE MODEL YEAR AND THE YEAR OF MANUFACTURE THAT ARE LISTED ON THE CERTIFICATE OF TITLE OF A STREET ROD OR CUSTOM VEHICLE SHALL BE THE MODEL YEAR AND YEAR OF MANUFACTURE THAT THE BODY OF THE STREET ROD OR CUSTOM VEHICLE RESEMBLES. <A]

[A> (B) IF A STREET ROD OR CUSTOM VEHICLE IS A REPLICA OR REPRODUCTION OF AN ORIGINAL PRODUCTION VEHICLE, THE CERTIFICATE OF TITLE SHALL INCLUDE THE TERM "REPLICA" IN THE REMARKS SECTION. <A]

[A> 27-24-1505. EQUIPMENT. <A]

[A> (A)(1) UNLESS THE PRESENCE OF THE EQUIPMENT WAS SPECIFICALLY REQUIRED BY THE LAW OF THIS STATE AS A CONDITION OF SALE IN THE YEAR LISTED AS THE YEAR OF MANUFACTURE ON THE CERTIFICATE OF TITLE, THE PRESENCE OF ANY SPECIFIC EQUIPMENT, INCLUDING WITHOUT LIMITATION EMISSION CONTROLS, IS NOT REQUIRED FOR THE OPERATION OF A VEHICLE REGISTERED UNDER THIS SUBCHAPTER. <A]

[A> (B) A STREET ROD OR CUSTOM VEHICLE MAY USE BLUE DOT TAIL LIGHTS FOR STOP LAMPS, REAR TURNING INDICATOR LAMPS, REAR HAZARD LAMPS, AND REAR REFLECTORS. <A]

[*2] SECTION 2. Arkansas Code Section 27-15-4003 is repealed.

[D> 27-15-4003. Street rods. <D]

[D> (a) Definitions. As used in this section, unless the context otherwise requires: <D]

[D> (1) "Office" means the Office of Motor Vehicle; and <D]

[D> (2) "Street rod" means any modified antique automobile or truck produced by an American manufacturer in 1948 or earlier which has undergone some type of modification, including the modernization of the engine, transmission, drivetrain, interior refinements, and other modifications the builder may desire, which vehicle is to be driven under its own power and is to be used as a safe, nonracing vehicle for family enjoyment. <D]

[D> (b) Registration - Fee. <D]

[D> (1)(A) Any person who is the owner of a motor vehicle qualified as a street rod may, upon application, register it as a street rod upon the payment of a one-time initial fee of fifty dollars (\$ 50.00) for each vehicle, and thereafter the payment of an annual renewal fee of twenty-five dollars (\$ 25.00), and be furnished a license plate of distinctive design to be displayed on each vehicle in lieu of the usual license plates. <D]

[D> (B) These plates shall have the same legal significance as ordinary license plates. <D]

[D> (C) The special license plate shall bear the inscription "Street Rod - Arkansas" and shall have displayed on it the number assigned to the vehicle by the office. <D]

[D> (D) The registration shall be valid while the vehicle is owned by the applicant upon the payment of the annual renewal fee. <D]

[D> (2) Application for these plates shall be made to the office on special application forms prescribed by the Director of the Department of Finance and Administration. <D]

[D> (3) Each person applying for a plate under this section must own and have registered one (1) or more vehicles with regular plates which he or she uses for regular transportation. <D]

[D> (c) Affidavit - Vehicle safety equipment required. <D]

[D> (1) Any person making application for a street rod motor vehicle license plate under subsection (b) of this section shall transmit to the office an affidavit signed by the applicant stating that the motor vehicle described in the application is modified in a manner as prescribed in the definition of street rod, is capable of operating under its own power, is equipped as is otherwise required by law for operation on the public streets and highways of Arkansas, and is to be used as a safe, nonracing vehicle for family enjoyment. <D]

[D> (2) Modifications of the vehicle in accordance with the definition of a street rod under this section shall not preclude the vehicle from meeting the vehicle equipment standards for brakes, lights, turn signals, if any, horns and sound devices, glass, mirrors, exhaust systems, windshield wipers, tires, and other items of equipment as required under Arkansas law to make a vehicle roadworthy. <D]

[D> (d) Regulations. The director may adopt reasonable regulations necessary to carry out the purposes of this section. <D]

HISTORY:

Approved by the Governor March 19, 2007

SPONSOR: Representative Key