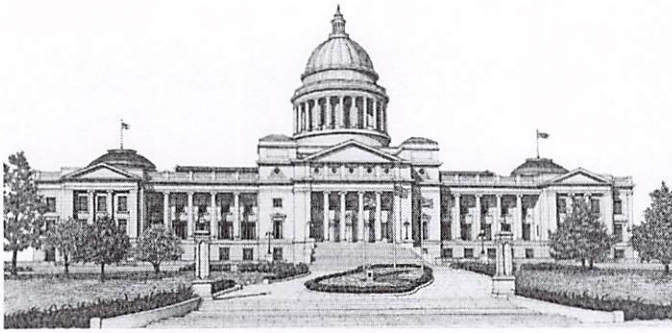


# ARKANSAS REGISTER

## Transmittal Sheet

Use only for **FINAL** and **EMERGENCY RULES**



Secretary of State

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For Office

Use Only:

Effective Date \_\_\_\_\_ Code Number \_\_\_\_\_

Name of Agency Arkansas Department of Public Safety

Department Arkansas State Police

Contact Tess Bradford E-mail tess.bradford@asp.arkansas.gov Phone 501-618-8583

Statutory Authority for Promulgating Rules Act 821

Rule Title: Penalties for Violations Concerning the Selling of Used Motor Vehicles

Intended Effective Date  
(Check One)

☐ Emergency (ACA 25-15-204)

☒ 10 Days After Filing (ACA 25-15-204)

☐ Other \_\_\_\_\_  
(Must be more than 10 days after filing date.)

Legal Notice Published .....

Final Date for Public Comment .....

Reviewed by Legislative Council .....

Adopted by State Agency .....

Date

10/15/2023

11/15/2023

12/15/2023

12/15/2023

Electronic Copy of Rule e-mailed from: (Required under ACA 25-15-218)

Tess Bradford

tess.bradford@asp.arkansas.gov

12/20/2023

Contact Person

E-mail Address

Date

### CERTIFICATION OF AUTHORIZED OFFICER

I Hereby Certify That The Attached Rules Were Adopted  
In Compliance with the Arkansas Administrative Act. (ACA 25-15-201 et. seq.)

Signature

501-618-8583

Phone Number

tess.bradford@asp.arkansas.gov

E-mail Address

Attorney

Title

12/19/2023

Date

## **UMVD RULE 2.12. Violations and Penalties**

- A.** For violations of this Act and/or these Rules, the Director may charge an applicant or licensee criminally as prescribed by Arkansas Code Annotated § 23-112-603(a)(1) - (3). In addition to or instead of charging the applicant or licensee criminally pursuant Arkansas Code Annotated § 23-112-603(a)(1) - (3), the Director may issue a fine in an amount not to exceed one thousand dollars (\$1,000.00) for each violation of Arkansas Code Annotated § 23-112-605. If the Director fines an applicant or licensee, the Director may enter into consent judgments with the applicant or licensee providing for the payment of agreed upon fines not to exceed one thousand dollars (\$1,000.00) per violation in lieu of a hearing and/or other administrative action.
- B.** The Director may deny an application for a certificate of license or its renewal or suspend or revoke a license if it is determined the applicant or licensee has:
  - 1. Made a material misstatement in the application for or the renewal of a license.
  - 2. Practiced fraud, deceit, or misrepresentation.
  - 3. Demonstrated incompetence or untrustworthiness in their actions.
  - 4. Violated any provisions of the “Act” and/or these rules.

## **Rule 4. Reciprocal, Temporary, and Expedited Licensure**

**4.1.** An applicant who holds a Used Motor Vehicle Dealer License in another state, territory, or district of the United States may obtain a reciprocal Arkansas license if he or she meets the requirements set forth in Ark. Code Ann. § 23-112-607. The reciprocity applicant must submit the required forms and applicable fees.

**4.2.** An applicant for a reciprocal Arkansas license who resides in a state, territory, or district of the United States that does not require licensure to sell used motor vehicles may obtain a reciprocal Arkansas license if he or she meets the requirements set forth in Ark. Code Ann. § 23-112-607. The reciprocity applicant must submit the required forms and applicable fees.

**4.3.** An applicant for a temporary Arkansas license may obtain a six (6) month temporary Arkansas license if he or she meets the requirements set forth in Ark. Code Ann. § 23-112-607. The temporary applicant must submit the required forms and applicable fees.

**4.4.** The Division will expedite the licensure process for:

- A. A uniformed service member stationed in the State of Arkansas;
- B. A uniformed service veteran who resides in or establishes residency in the State of Arkansas;
- C. The spouse of:
  - i. A person listed in subdivision (a) or (b) of this Rule;
  - ii. A uniformed service member who is assigned a tour of duty that excludes the uniformed service member’s spouse from accompanying the uniformed service member and the spouse relocates to this state; and
  - iii. A uniformed service member who is killed or succumbs to his or her injuries or illness in the line of duty if the spouse establishes a residency in this state.

To qualify for expedited licensure, the applicant must notate his or her status on the application and provide the Division with a copy of the active duty orders or DD214.