

**§ 27-14-1704. Dealer's extra license plates**

(a) Each dealer as defined in § 27-14-601(a)(6) shall furnish the Secretary of the Department of Finance and Administration with a list of each manager, sales manager, and salesperson authorized to operate a motor vehicle to which a dealer's extra license plate issued to the dealer has been or will be attached:

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

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

(b) The dealer's extra license plate may be used only by the dealer, manager, or salesperson of the dealer and only for the following purposes:

(1) To drive to and from work;

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

(3) To transport the vehicle; or

(4) To demonstrate the vehicle.

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

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

(e)

(1)

(A) In addition to any other penalty prescribed by this chapter, the secretary may suspend some or all dealer's extra license plates issued to a dealer if the secretary determines that the dealer or any manager, sales manager, or

salesperson of the dealer either misused a dealer's extra license plate or allowed the use of a dealer's extra license plate by a person who is not authorized by this section to use a dealer's extra license plate.

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

(C) The secretary shall:

(i) Notify the dealer in writing of a suspension of the dealer's extra license plates that is authorized under this section; and

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

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

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

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

(2)

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

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

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

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

(3)

(A)

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

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

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

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

(Amended by Act 2019, No. 910, § 4605, eff. 7/1/2019. Amended by Act 2019, No. 910, § 4604, eff. 7/1/2019. Amended by Act 2019, No. 910, § 4603, eff. 7/1/2019. Amended by Act 2019, No. 910, § 4602, eff. 7/1/2019. Amended by Act 2019, No. 910, § 4601, eff. 7/1/2019. Acts 2005, No. 1929, § 4; 2011, No. 606, § 1.)