RULE 8

DEALER SERVICE AND HANDLING FEES

(A) Pursuant to Ark. Code Ann. §23-112-317 (c) (1) the Commission shall determine the amount of the Dealer Service or Handling Fee, and that fee shall be no less than zero ($0) dollars and no more than one hundred twenty nine dollars ($129.00).

(B) The amount that an Arkansas dealer may charge for Dealer Service and Handling Fees, allowed by A.C.A. §23-112-317(d) is not to exceed $129.00. The fee, if charged, must be charged uniformly to all retail customers.

(C) In no instances shall the allowed fee, as mentioned above, be disclosed to the purchaser, represented verbally, or represented in any manner or medium, as being mandated by any other entity other than the dealership charging the fee.

(D)(1) If a Dealer Service and Handling Fee, is charged the motor vehicle dealer must follow the procedures for disclosure set out in the subsection (c) when charging any consumer a Dealer Service and Handling Fee, as provided for in this section.

(2) The motor vehicle dealer must disclose, to any consumer, the following information in written form:

(i.) The amount of the fee; and
(ii.) Notice in type that is bold-face, capitalized, or underlined or other wise conspicuously set out from the surrounding written material as listed in section (C) of this rule

(E)(a) If a Dealer Service and Handling fee is charged, the dealer shall prominently display a poster or sign measuring at least 8" x 10" in the finance and insurance office or in any area sales document processes are conducted.

(b) The poster or sign shall include the following information:

(i) The dealership charges a Dealer Service or Handling Fee;
(ii) The amount of the fee;
(iii) The required notice as stated in A.C.A. §23-112-317 (c)(2).

(c) The required notice shall be in a common font (Times Roman or Arial) and at least 55 point size. The portion of the notice which includes the statute A.C.A. §23-112-317 (c)(2) shall be in a common font (Times Roman or Arial) and at least 24 point size. The full area of the poster or sign must be utilized. An example is provided by the Commission at www.amvc.arkansas.gov or upon request.