

ACT #2017-242

1 HB251
2 182000-2
3 By Representative Wood
4 RFD: Public Safety and Homeland Security
5 First Read: 16-FEB-17



1
2 ENROLLED, An Act,

3 To amend Sections 32-6-63, 32-6-65, 32-6-211,
4 32-7A-17, 40-12-253, 40-12-258, and 40-12-260 of the Code of
5 Alabama 1975, relating to motor vehicle tabs and motor vehicle
6 registration renewals; to update the validation decal or
7 device on metal license plates to include the year of
8 expiration; to allow motor vehicle registration receipts to be
9 provided in a tangible or electronic format; to provide
10 dealers that are designated agents with the ability to issue
11 temporary license tags to motor vehicles that are to be
12 permanently licensed in Alabama; to clarify that the renewal
13 of motor vehicle registration is not subject to the current
14 identification requirements.

15 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

16 Section 1. Sections 32-6-63, 32-6-65, 32-6-211,
17 32-7A-17, 40-12-253, 40-12-258, and 40-12-260, Code of Alabama
18 1975 are hereby amended as follows:

19 "§32-6-63.

20 "For the years during which the five-year metal
21 license plates are not issued, in lieu thereof, ~~tabs, stamps,~~
22 validation decals or other devices suitable for attaching to a
23 motor vehicle license plate shall be issued. The ~~tab, stamp,~~
24 validation decal or device shall indicate the period for which
25 it was issued and shall, when properly affixed to the license

1 plate, evidence payment for the motor vehicle license fees and
2 taxes for the period indicated thereon. Such ~~tab, stamp,~~
3 validation decal or device shall be such size as the
4 legislative oversight committee, as provided for in this
5 subdivision, deems appropriate and shall bear a bright
6 reflective background contrasting with the digits or letters
7 printed thereon. The ~~first three letters of the month and year~~
8 of expiration shall be printed on the ~~bottom portion of the~~
9 ~~tab, stamp, or device and shall be no less than three inches~~
10 ~~in width and one inch in height~~ validation decal.

11 ~~"Any numbers shown on such tab, stamp, or device~~
12 ~~shall be for accounting purposes only, to be used by the~~
13 ~~Department of Revenue, and shall in no way be used for the~~
14 ~~identification of the vehicle.~~

15 "A person changing his or her county of residence
16 shall be required to purchase a license plate indicating his
17 or her new county of residence upon expiration of the license
18 period covered by his or her present license plate or
19 validation device and shall turn in his or her old license
20 plate."

21 "§32-6-65.

22 "(a) There shall be one uniform registration renewal
23 form to be used statewide. Such form shall be designed so as
24 to provide for both the transfer of ownership and the
25 registration of the vehicle. All receipts shall be sent to the

1 county agencies charged with handling vehicle registration.

2 ~~All receipts shall be machine prepared~~ Receipts may be

3 provided to the registrant in a tangible format or in an

4 electronic format, as prescribed by the department. The state

5 and the county shall capture the color of the motor vehicle in

6 their permanent records. This subsection shall not give the

7 Department of Revenue authority to centralize vehicle

8 registration. Centralized registration is specifically

9 prohibited and it is the legislative intent that automotive

10 vehicle registration shall remain at the county level.

11 " (b) (1) A penalty of fifteen dollars (\$15) shall be
12 assessed by the official charged with issuing motor vehicle
13 licenses for the late registration of a motor vehicle. "Late
14 registration of a motor vehicle" shall include (1) the failure
15 to register the vehicle within 20 calendar days of the date of
16 purchase or acquisition; (2) the failure to renew the
17 registration in the designated renewal month; and (3) the
18 failure to register the vehicle in accordance with the
19 provisions of Section 40-12-262(a). It shall be the duty of
20 all sheriffs, police officers, state troopers, license
21 inspectors, deputy license inspectors, field agents of the
22 Department of Revenue, and other law enforcement officers to
23 arrest any person operating a motor vehicle without the
24 current license plate displaying the proper ~~tab, disc, or~~
25 validation decal. Persons apprehended for operating a motor

1 vehicle without the current license plate, upon conviction by
2 a court of competent jurisdiction, shall be fined not less
3 than twenty-five dollars (\$25).

4 "(2) Notwithstanding subdivision (1), any person on
5 military deployment during any part of his or her designated
6 registration renewal month, except a person with a discharge
7 characterization of "dishonorable" or "other than honorable,"
8 who renews his or her motor vehicle registration within 30
9 calendar days from the date the deployment ends shall not be
10 assessed a late registration penalty or associated interest
11 charges. Evidence of military deployment shall be documented
12 using military deployment orders, a government issued
13 Statement of Service letter, Form DD214 "Certificate of
14 Release or Discharge from Active Duty," or a letter from the
15 registrant's unit commander certifying the date that his or
16 her deployment ended.

17 "(c) All penalties assessed by this section shall be
18 distributed in the same manner as motor vehicle licenses and
19 registration fees are distributed as provided in Sections
20 40-12-269 and 40-12-270. Portions of Section 40-12-10 as they
21 may conflict with this section, are hereby repealed and
22 superseded."

23 "§32-6-211.

24 "Each designated agent shall, upon proper
25 application, issue to the owner of a motor vehicle which is to

1 be permanently licensed in some state other than Alabama a
2 temporary license tag to be affixed to such motor vehicle and
3 a temporary registration certificate. Each dealer who is a
4 designated agent may, upon proper application, issue to the
5 owner of a motor vehicle which is to be permanently licensed
6 in Alabama, a temporary license tag to be affixed to such
7 motor vehicle, and a temporary registration certificate. A
8 dealer who has been appointed by the department to perform the
9 duties of a designated agent shall have the authority to issue
10 a temporary license tag and temporary registration certificate
11 only for motor vehicles which are sold by that dealer.

12 "Any temporary license tags and registration
13 receipts issued under this chapter or Chapter 12 of Title 40
14 shall be issued in a manner as prescribed by the Department."

15 "§32-7A-17.

16 "(a) License plate issuing officials shall not
17 register or re-register a motor vehicle or transfer the
18 license plates if the registration is suspended pursuant to
19 Section 32-7A-12.

20 "(b) Notwithstanding subsection (a), upon the
21 request of the registrant, the license plate issuing official
22 shall reinstate a registrant's suspended registration at such
23 time the registrant meets the provisions of reinstatement
24 provided for by this chapter.

1 "(c) No vehicle registration or renewal thereof
2 shall be issued to any motor vehicle unless the license plate
3 issuing official receives satisfactory evidence of insurance
4 or verification of motor vehicle liability insurance through
5 the online insurance verification system, liability insurance
6 bond, or deposit of cash that provides the minimum motor
7 vehicle insurance coverage required by Section 32-7-6 or is
8 exempted under Section 32-7A-5. Verification by the license
9 plate issuing official shall be made in a manner as prescribed
10 by the department.

11 "(d) All officials authorized by law to issue motor
12 vehicle license plates shall obtain, when issuing the initial
13 motor vehicle registration or transferring a motor vehicle
14 registrations, ~~the~~ each registrant's ~~valid~~ non-expired state
15 issued driver's license or identification card number, a
16 department approved federal identifying number, national
17 driver's license, or for a company or other entity, the
18 federal employer identification number, for inclusion within
19 the motor vehicle registration records in the state and county
20 databases provided these numbers shall not be included on the
21 motor vehicle registration receipts. The department has the
22 additional authority to assign an identifying number to
23 vehicle registrants in order to document compliance with this
24 chapter. This information shall be used by the department in
25 the administration of this chapter. ~~Notwithstanding the~~

1 ~~provisions of this subsection, when renewing a motor vehicle~~
2 ~~registration that contains more than one individual or entity~~
3 ~~listed as a registrant for a motor vehicle, a valid state~~
4 ~~issued driver's license or identification card number,~~
5 ~~department approved federal identifying number, national~~
6 ~~driver's license, or, for a company or other entity, a federal~~
7 ~~employer identification number for only one of the individuals~~
8 ~~or entities listed as a registrant must be included within the~~
9 ~~motor vehicle registration records in the state and county~~
10 ~~databases~~ The requirements of this subsection shall not apply
11 to the renewal of a motor vehicle registration."

12 "§40-12-253.

13 "(a) Effective January 1, 2000, ad valorem taxes on
14 motor vehicles shall be assessed and the tax collected forward
15 on a current basis to coincide with the collection of motor
16 vehicle license taxes and registration fees.

17 "(1) Ad valorem taxes on motor vehicles shall become
18 due and payable on the first day of the registration renewal
19 month of the owner, the date the motor vehicle enters the
20 State of Alabama, the date the motor vehicle is removed from
21 the inventory of a dealer, or the date on which the motor
22 vehicle is otherwise determined to be taxable, whichever comes
23 first. Ad valorem taxes on motor vehicles shall become
24 delinquent on the first day of the month following the

1 registration renewal month for the owner or as otherwise
2 provided by law.

3 "(2) Ad valorem tax on motor vehicles shall be
4 collected through the last day of the month which precedes the
5 assigned registration renewal month for the owner as provided
6 in Section 32-6-61. The definition of owner shall be as
7 defined in subdivision (16) of Section 40-12-240.

8 "(3) No license shall be issued to operate a motor
9 vehicle on the public highways of this state, nor shall any
10 transfer be made by the license issuing official under this
11 article, until the ad valorem tax on the motor vehicle is paid
12 in the county, as evidenced either by a receipt of the tax
13 collecting official where the owner of the motor vehicle
14 resides, if the motor vehicle is owned by an individual, or by
15 the receipt of the tax collecting official in the county where
16 the motor vehicle is based, if the motor vehicle is owned by a
17 firm, corporation, or association. The receipt, as referenced
18 in this subsection, may be evidenced in either a tangible
19 format or in an electronic format as prescribed by the
20 department. The definition of the base of a vehicle shall be
21 the place where a vehicle is most frequently dispatched,
22 garaged, serviced, maintained, operated, or otherwise
23 controlled, and from which it ordinarily departs and to which
24 it ordinarily returns.

1 "(4) Every person, firm, or corporation that plans
2 to operate a motor vehicle shall first return the motor
3 vehicle for ad valorem taxation to the tax assessing official
4 of the county where the individual resides or, if a firm or
5 corporation, where the vehicle is based, and the tax assessing
6 official shall deliver to the person making the return a
7 certificate of assessment on a form prescribed by the
8 Department of Revenue, and the certificate shall be the
9 warrant of the tax collecting official to collect the tax as
10 shown on the assessment form.

11 "(5) Valuation for ad valorem tax assessment
12 purposes shall be based, as specified by law, on the value of
13 the motor vehicle on October 1, as provided by the Department
14 of Revenue. The October 1 valuation shall be used for
15 calculating ad valorem taxes for the next succeeding year
16 beginning January 1 and continuing through December 31.

17 "(6) Before any motor vehicle can be assessed, the
18 tax assessing official shall determine the amount of ad
19 valorem taxes due on the motor vehicle from information
20 provided by the owner. If the number of months for which taxes
21 are delinquent cannot be determined, the motor vehicle shall
22 be presumed to have been in the state for one preceding year
23 in addition to the current tax year for ad valorem tax
24 assessing and collecting purposes. Motor vehicles with
25 delinquent registrations shall be subject to payment of

1 escaped ad valorem taxes for up to two prior years plus the
2 current year, ~~except for the ad valorem taxes that would have~~
3 ~~been due in arrears in 1999 during the transition year.~~

4 "(b) The license issuing official shall require the
5 applicant to surrender the receipt of the tax collecting
6 official which shall be kept on file in the license issuing
7 official's office. The license plate shall be evidence of the
8 payment of the license and the ad valorem tax due as provided
9 under this article. The license issuing official may issue a
10 motor vehicle license plate upon receiving certification from
11 the tax assessing official that there is no ad valorem tax due
12 on the motor vehicle.

13 "(c) Ad valorem taxes on a motor vehicle shall be
14 collected on an annual current basis in the registration
15 renewal month of the owner thereof, in conjunction with
16 registration of the motor vehicle; provided, however, that ad
17 valorem taxes due at the time of registration shall be
18 prorated on a monthly basis from the date the motor vehicle
19 enters the State of Alabama, from the date the motor vehicle
20 is removed from the inventory of a dealer, from the date of
21 transfer of ownership of the motor vehicle, or upon the date
22 the motor vehicle otherwise becomes subject to taxation.

23 "(d) Upon the sale, trade, total destruction,
24 permanent removal from Alabama, theft without recovery, or
25 other transfer of a motor vehicle, hereafter referred to as a

1 "demitted motor vehicle" constituting Class I, Class II, or
2 Class IV Property under Section 40-8-1, the owner of the
3 demitted motor vehicle shall be entitled to a pro rata credit
4 for the ad valorem taxes paid with respect thereto for the
5 remainder of the then current period for which the taxes have
6 been paid. In determining the credit available, the total ad
7 valorem taxes previously paid for the then current
8 registration period shall be determined by a ratio, the
9 numerator of which shall be the number of full calendar months
10 from the date the motor vehicle is demitted to the last day of
11 the month which precedes the assigned registration renewal
12 month for the owner as provided in Section 32-6-61, and the
13 denominator of which shall be the number of months for which
14 ad valorem taxes shall have been paid with respect to the
15 motor vehicle. The ad valorem tax credit shall be evidenced by
16 a ~~serially numbered~~ credit voucher, the in a form of which
17 shall be specified by the department, bearing the name of the
18 person entitled to the credit. The ad valorem tax credit so
19 determined shall either (i) be allowed at the election of the
20 owner on a pro rata basis against all ad valorem taxes payable
21 on another motor vehicle or vehicles acquired by the owner in
22 conjunction with the sale or trade of the motor vehicle in
23 respect of which the credit is allowable under this
24 subsection, or (ii) be allowed by the tax collecting official
25 on a pro rata basis against all ad valorem taxes payable on

1 another motor vehicle or vehicles owned by the owner or a
2 member of the owner's immediate family. No interest shall be
3 allowable on the amount of any credit allowable hereunder. A
4 credit issued shall be creditable only against ad valorem
5 taxes levied by those taxing authorities whose ad valorem
6 taxes had been paid by the owner with respect to the motor
7 vehicle for which a credit is allowed. No credit shall be
8 allowable against any ad valorem taxes levied by the state
9 unless the credit shall be eligible for application and
10 applied against ad valorem taxes levied by taxing authorities
11 other than the state. A credit voucher must be used at the
12 time of issuance. In the event a voucher is presented for
13 credit against ad valorem taxes due and the amount of the
14 voucher is in excess of the taxes due, a new voucher for the
15 excess amount shall be issued referencing the date of issuance
16 of the voucher so presented. The new voucher shall be
17 designated a receipt for credit for reporting purposes with a
18 copy given to the owner. Immediately upon issuance of a
19 receipt for credit and no later than the twentieth day of the
20 month following the month in which the new voucher was issued,
21 the tax collecting official shall remit to the owner a refund
22 credit payment in the amount of the receipt for credit. When a
23 credit voucher is issued and no ad valorem taxes payable on a
24 vehicle are available for credit to the owner, the voucher
25 shall be designated a receipt for credit for reporting

1 purposes with a copy given to the owner. Immediately upon
2 issuance of a receipt for credit and no later than the
3 twentieth day of the month following the month in which the
4 new voucher was issued, the tax collecting official shall
5 remit to the owner a refund credit payment in the amount of
6 the receipt for credit.

7 "(e) The credit provided under subsection (d) may be
8 claimed by the owner of a motor vehicle pursuant to the
9 procedure and upon presentation of the evidence of payment of
10 tax and eligibility for credit pursuant to subsection (d) as
11 specified by regulations issued by the Department of Revenue,
12 including a sworn affidavit of the buyer in the case of a sale
13 or trade of the motor vehicle. The tax collecting official
14 shall charge and collect as a condition to the redemption of a
15 credit voucher or the remittance of a refund credit payment a
16 commission in order to defray the costs thereof at a flat rate
17 of two dollars (\$2) for each credit voucher redeemed or refund
18 remitted, which shall be collected by the tax collecting
19 official at the time of the transaction. One-half of the
20 commissions and fees so collected shall be deposited into the
21 general fund of the county in which the fees are collected and
22 the balance shall be remitted to the State General Fund. There
23 is hereby appropriated for the use of the department in
24 carrying out its responsibilities hereunder in each fiscal

1 year a sum as the Legislature shall appropriate to the
2 department for this purpose.

3 "(f) In no event may a credit be claimed under
4 subsection (d), whether in conjunction with the sale or trade
5 of a motor vehicle or pursuant to the issuance of a credit
6 voucher as provided for in subsection (d), later than 12
7 months after the date a motor vehicle is demitted.

8 "(g) The tax assessing officials and tax collecting
9 officials of the counties in this state, in addition to
10 assessing and collecting the ad valorem taxes due the state
11 and counties on motor vehicles, shall collect the ad valorem
12 taxes on motor vehicles due all cities in this state.

13 "(1) The tax collecting official shall report and
14 pay the money collected for cities at the same time and in the
15 same manner as state and county taxes are reported and paid by
16 the official. The tax assessing and tax collecting officials
17 shall each receive a commission of two and one-half percent of
18 the amount of city taxes collected. The tax collecting
19 officials shall deduct this commission from the amount
20 collected before paying the city treasury and, at the same
21 time, pay to the tax assessing official any commissions due
22 him or her under this article.

23 "(2) The license issuing official shall not issue a
24 license to operate a motor vehicle on the highways of this
25 state until all ad valorem taxes due the state, counties, and

1 cities are paid as evidenced by a receipt of the tax
2 collecting official.

3 "(h) Motor vehicles assessed under this section
4 shall not be included in any assessment made by any person,
5 firm, or corporation under Section 40-11-1, and the motor
6 vehicles shall not be considered an escape property by reason
7 of the failure to include the property value of the motor
8 vehicle in any tax return as of October 1. All motor vehicles
9 shall be assessed and the taxes shall be collected on the
10 motor vehicles as herein provided. The foregoing
11 notwithstanding, any machinery or equipment including, but not
12 limited to, cement mixers, wrecker rigs, and box-type bodies
13 which may be added to a motor vehicle after it leaves the
14 original manufacturer and may be moved from one motor vehicle
15 to another shall be separately valued and assessed with the
16 tax assessing official as personal property.

17 "(i) In addition to the refunds provided for in
18 subsection (d), refunds shall be granted for ad valorem taxes
19 on motor vehicles for monies collected in error, as provided
20 in Section 40-7-9.1, or upon evidence of valuation change or
21 adjustment by the county board of equalization.

22 "(j) All millage rate levies and changes affecting
23 ad valorem taxes on motor vehicles shall become effective on
24 the January 1 following the levy or rate change.

1 "(k) The Department of Revenue may promulgate and
2 implement rules and regulations for the administration of this
3 section.

4 "§40-12-258.

5 "(a) Except for vehicles provided for in subsections
6 (b) and (c), an individual reregistering a motor vehicle that
7 has been stored in this state and not used or operated on the
8 public highways of this state shall pay the annual license
9 taxes and registration fees on the vehicle. The license taxes
10 and registration fees associated with the reregistering of
11 motor vehicles shall not be prorated.

12 "(b) The owners of motor vehicles commonly known as
13 self-propelled campers or house cars, when stored in this
14 state and not used or operated on the public highways of this
15 state, upon reregistering, shall pay license taxes and
16 registration fees on a monthly prorated basis.

17 "(c) The owners of farm trucks and farm truck
18 tractors and vintage vehicles, without regard to subdivision
19 (2) of subsection (c) of Section 40-12-290, when stored in
20 this state and not used or operated on the public highways of
21 this state, upon reregistering, shall pay license taxes and
22 registration fees on a monthly prorated basis.

23 "(d) The payment of the registration fee or license
24 tax on motor vehicles shall be evidenced by the delivery of a
25 license plate, which shall be placed in such position as to be

1 lighted by the license plate lamp in accordance with
2 subdivision (3) of subsection (g) Section 32-5-242 in an
3 upright position, right side up, on the rear of the
4 automobile; when a semitrailer truck is operated, the plate
5 shall be placed on the rear of the semitrailer. It shall be a
6 misdemeanor, punishable by a fine of not less than ten dollars
7 (\$10) and not exceeding twenty-five dollars (\$25) for each
8 offense, to display the plate in any other place or in any
9 other manner than as herein provided. The Department of
10 Revenue shall provide plates for all motor vehicles and shall
11 also provide receipts ~~in triplicate~~, one of which shall be
12 retained by the judge of probate, one shall be delivered to
13 the person paying the license fee, and one legible copy shall
14 be mailed by the judge of probate to the Department of Revenue
15 on the day the license was issued. ~~Every part of each~~ Each
16 receipt shall bear the same number as the plate delivered to
17 the licensee. These receipts shall be prepared in the form to
18 be determined by the Department of Revenue and delivered to
19 the judges of probate of the several counties of the state
20 under such rules and regulations as may be prescribed by the
21 Department of Revenue; and the Department of Revenue shall
22 have power to prescribe rules and regulations concerning the
23 application for and delivery to the licensee of the plate and
24 receipt required by this article.

1 "(e) The automobile licensee shall be required to
 2 state in his or her application the proposed use of the
 3 automobile, whether for private use or for commercial
 4 purposes.

5 "(f) The plates furnished for commercial vehicles,
 6 except those used or rented by a U-Drive-It or similar system,
 7 shall be of a different design from those used for private or
 8 pleasure cars. In applying for license for buses, taxicabs, or
 9 U-Drive-Its or like motor vehicles, the application shall give
 10 the seating capacity and the weight of the vehicle."

11 "\$40-12-260.

12 "(a) Effective January 1, 1998, license plates,
 13 except for license plates issued under the provisions of
 14 Section 40-12-290, et seq., or any subsequent enactment which
 15 authorizes special license plates based on vehicle age, shall
 16 not be transferable between motor vehicle owners and the
 17 following registration procedures shall apply:

18 "(1) When a current and valid Alabama motor vehicle
 19 license plate has been obtained for the current tax year for
 20 use on a motor vehicle and the vehicle has been sold or
 21 otherwise transferred to a new owner, the license plate shall
 22 be removed from the vehicle and retained by the original plate
 23 owner.

24 "(2) In the event an owner purchases, trades,
 25 exchanges, or otherwise acquires another vehicle of the same

1 license registration classification, the licensing official
2 shall authorize the transfer of the current and valid Alabama
3 license plate previously obtained by the owner to the
4 replacement vehicle for the remainder of the current license
5 year. In the further event the owner acquires a vehicle
6 requiring a higher license classification, the owner shall
7 first request a transfer of the valid Alabama license plate to
8 the newly acquired vehicle, and, immediately, shall surrender
9 the license plate to the issuing official, and upon payment of
10 the difference in registration fees on a monthly prorated
11 basis, shall be issued the higher license plate
12 classification. Provided, that the owner shall not be entitled
13 to a refund when the registration fee for the vehicle to which
14 the plate(s) is to be assigned is less than the registration
15 fee for that vehicle to which the license plate(s) was last
16 assigned. Furthermore, if the owner does not have or does not
17 acquire another vehicle to which the license plate(s) may be
18 transferred, the owner shall not be entitled to a refund and
19 the license plate shall be revoked.

20 "(3) In the event the owner of a license plate
21 purchases, trades, exchanges, or otherwise acquires a vehicle
22 for which a license plate has been issued during the current
23 license year, and the license plate has not been removed by
24 the previous owner in accordance with this section, the new
25 owner of the vehicle shall remove and return the license plate

1 to the county license plate issuing official of the county
2 where the owner resides, if the owner is an individual, or of
3 the county in which said motor vehicle is used or operated if
4 the owner is a firm, corporation, or association, who shall
5 receive, account for, and dispose of the license plate.
6 However, if the license plate has expired, the new owner shall
7 not be required to surrender the license plate.

8 "(4)a. The new owner of a motor vehicle shall,
9 within 20 calendar days from the date of vehicle purchase or
10 acquisition, make application to record the registration of
11 the vehicle by the transfer to or the purchase of a license
12 plate for the newly acquired vehicle with the license issuing
13 official of the county in which the owner resides if the owner
14 is an individual, or with the license issuing official of the
15 county in which the motor vehicle is used or operated if the
16 owner is a firm, corporation, or association and shall pay the
17 fee provided under Section 40-12-271.

18 "b. The county license issuing official shall ~~mail~~
19 ~~or deliver~~ provide ~~a copy of the registration receipt record~~
20 to the Department of Revenue ~~not later than the 10th day of~~
21 ~~the month succeeding the month the registration was issued or~~
22 ~~transferred.~~ One copy shall be retained in the files of the
23 county license issuing official, and one copy shall be
24 furnished to the registered owner. ~~However, the Department of~~
25 ~~Revenue may waive the sending of the receipt if the data is~~

1 ~~electronically transmitted, provided, that the data~~
2 ~~electronically transmitted shall be furnished to the~~
3 ~~Department of Revenue by the 10th day of the month succeeding~~
4 ~~the month in which the registration was issued or transferred.~~
5 The Department of Revenue shall have the authority to
6 prescribe rules and regulations for the administration of this
7 paragraph.

8 "c. Licensed motor vehicle dealers shall not be
9 required to register vehicles in the name of the dealership
10 for vehicles held for resale. The dealership shall register
11 any motor vehicle and purchase an Alabama license plate of the
12 proper classification for any motor vehicle purchased, leased,
13 or otherwise withdrawn from dealer inventory for private,
14 personal, or business use by any person, including any of the
15 dealership employees.

16 "(5) Any person failing to register a motor vehicle
17 by timely transferring the license plate as provided by
18 subsections (a) (2) and (a) (4) above and (a) (7) below shall pay
19 a penalty of fifteen dollars (\$15). The penalty shall be paid
20 into the treasury of the county, with the county treasurer
21 maintaining these moneys as a special training fund. Only one
22 special training fund shall be established in each county.
23 These moneys shall be used for all reasonable and necessary
24 official educational expenses directly related to the
25 assessment and collection of taxes on motor vehicles or

1 registration and titling of motor vehicles. The special
2 training fund shall be for the use of the officials in the
3 county charged with the motor vehicle responsibilities
4 mentioned above, and shall be in addition to the amount
5 budgeted for these offices. Moneys shall be disbursed by the
6 county treasurer for the payment of the motor vehicle related
7 educational expenses of those officials and their employees by
8 the county officials requisitioning expenditures from the
9 fund. Not more than three thousand dollars (\$3,000) shall be
10 paid into the special training fund during any fiscal year
11 (October 1 through September 30). Any excess moneys shall
12 accrue to the general fund of the county.

13 "(6) Any person, firm, or corporation engaged in the
14 business of selling or otherwise disposing of motor vehicles
15 which are required to be registered in this state shall
16 furnish each purchaser of a motor vehicle with a legal bill of
17 sale on which there shall be printed, stamped, or otherwise
18 inscribed in a bold and conspicuous manner the words: "Penalty
19 of fifteen dollars (\$15) due if vehicle is not registered in
20 the name of the new owner within 20 calendar days."

21 "(7)a. In the event a motor vehicle is registered
22 pursuant to Section 32-6-150 or Section 32-6-300, or any other
23 section designated by the Commissioner of Revenue by rule or
24 regulation, and is transferred to the transferor's spouse or
25 child, at the option of the transferor, the license plate may

1 remain on the vehicle in the hands of the transferee upon
2 payment of the fee for recording the transfer of the license
3 plate.

4 "b.1. A surviving spouse, desiring to operate a
5 vehicle devolving from a deceased spouse, shall present an
6 application for certificate of title to the licensing official
7 in his or her name within ~~30~~ 20 days of obtaining ownership.
8 The licensing official shall then transfer the license plate
9 to the surviving spouse. If the motor vehicle is not subject
10 to the provisions of the Alabama Uniform Certificate of Title
11 and Antitheft Act (Section 32-8-1, et seq.), the surviving
12 spouse shall provide the licensing official evidence that
13 ownership has been conveyed to the surviving spouse.

14 "2. In the event that a vehicle is registered and
15 bears a distinctive plate or a registration fee-exempt plate,
16 the plate shall be surrendered to the licensing official
17 within ~~30~~ 20 days of the date of obtaining ownership
18 conveyance and, upon surrender, the owner shall make
19 application for registration of the vehicle. If the motor
20 vehicle is not subject to the Alabama Uniform Certificate of
21 Title and Antitheft Act (Section 32-8-1, et seq.), the
22 surviving spouse shall provide the licensing official evidence
23 that ownership has been conveyed to the surviving spouse.

24 "(8) In the event the owner of a motor vehicle junks
25 the vehicle or the vehicle is ~~totally destroyed~~ deemed a total

1 loss, as defined in Section 32-8-87, the license plate may be
2 transferred to a motor vehicle of the same class during the
3 same tax year. The owner of the license plate, after
4 authorization by the licensing official, and after compliance
5 with the provisions of the Alabama Uniform Certificate of
6 Title and Antitheft Act, if applicable, may transfer the plate
7 to a vehicle currently owned but not operated by that owner
8 for the period remaining before expiration of the
9 registration, or the license plate may be transferred to a
10 newly acquired vehicle.

11 " (9) All references in this article to the words
12 "tag" or "plate" shall have identical meaning and may be used
13 interchangeably. The words "tag," "plate," and "owner" shall
14 mean singular or plural.

15 " (b) (1) Any person operating a self-propelled
16 vehicle required to be registered in this state on the public
17 roads and highways of this state shall retain within the
18 vehicle a current and valid Alabama motor vehicle registration
19 receipt issued to the vehicle being operated. This subsection
20 shall apply to all vehicles registered on or after January 1,
21 1998.

22 " (2) Within the first 20 calendar days of purchase
23 or acquisition of a self-propelled motor vehicle, prior to
24 receiving a copy of a registration receipt, there shall be
25 retained within the vehicle being operated a legible copy of

1 the legal bill of sale if the motor vehicle is not subject to
2 the provisions of the Alabama Uniform Certificate of Title and
3 Antitheft Act (Section 32-8-1, et seq.), or the owner's permit
4 copy of the application for certificate of title ~~for a 1975~~
5 ~~and subsequent year model vehicle~~, or an official copy of a
6 current and valid Alabama temporary registration receipt as
7 authorized under Section 32-6-210 to Section 32-6-219,
8 inclusive, assigned to the vehicle being operated.

9 " (3) (a) The retained documents specified by
10 subsections (b) (1) and (b) (2) above shall be presented, on
11 demand, by the vehicle operator, for inspection by law
12 enforcement officers. The registration receipt may be
13 presented in either a tangible format or in an electronic
14 format. It shall be unlawful for the operator to fail or
15 refuse to present, when requested by a law enforcement
16 officer, the official registration receipt, or other document
17 herein described, or legible copy thereof, for the vehicle
18 being used or operated.

19 "(b) The use of a cellular phone or other electronic
20 device to display evidence of a registration receipt does not
21 constitute consent for law enforcement or other governmental
22 employees to access any other content on the electronic
23 device. Any law enforcement officer or other governmental
24 employee presented with an electronic device pursuant to this
25 section shall be subject to the provisions of Section 36-1-12

1 for damages to the electronic device resulting from acts taken
2 when viewing the device pursuant to this section.

3 "(4) A motor vehicle dealer licensed under the
4 provisions of Section 40-12-390 to Section 40-12-400,
5 inclusive, or a motorcycle dealer licensed under the
6 provisions of Section 40-12-62, or any motor vehicle
7 manufacturer utilizing manufacturer license plates as
8 authorized under the provisions of subsection (g) of Section
9 40-12-264 shall not be required to comply with this subsection
10 for self-propelled motor vehicles within the dealer inventory
11 of the motor vehicle dealer, or, in the case of the motor
12 vehicle manufacturer, shall not be required to comply for new
13 vehicles utilizing the manufacturer license plates and being
14 operated within the provisions of subsection (g) of Section
15 40-12-264.

16 "(c) Any person failing to perform the duties
17 required by the provisions of this section shall be guilty of
18 a Class C misdemeanor ~~and, upon conviction thereof, shall be~~
19 ~~fined not less than fifty dollars (\$50)."~~

20 Section 2. This act shall become effective the first
21 day of the third month following its passage and approval by
22 the Governor, or its otherwise becoming law.

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Mac McClintock

Speaker of the House of Representatives

Del Mat

President and Presiding Officer of the Senate

House of Representatives

I hereby certify that the within Act originated in
and was passed by the House 15-MAR-17.

Jeff Woodard
Clerk

Senate

27-APR-17

Passed

APPROVED

5-9-2017

TIME

12:20 PM

Kay Ivey

GOVERNOR

Alabama Secretary Of State

Act Num....: 2017-242
Bill Num...: H-251

Recv'd 05/09/17 02:05pmSLF

DATE: 3-16 20
RD 1 RFD GA

This Bill was referred to the Standing Committee the Senate on GA
and was acted upon by such Committee session and is by order of the Committee returned therefrom with a favorable report w/amd(s) w/sub w/eng sub by a vote of yeas nays abstain
this 4th day of April 2017
Jameson Alley, Chairperson

DATE: 4/4/17 20
RF For RD 2 CAL

I hereby certify that the Resolution as required in Section C of Act No. 81-889 was adopted and is attached to the Bill, HB 251
YEAS 27 NAYS 0
PATRICK HARRIS, Secretary

DATE: 4-27-17 RD 3 at length
PASSED PASSED AS AMENDED

YEAS 27 NAYS 0
And was ordered returned forthwith to the House
PATRICK HARRIS, Secretary

DATE: 20
INDEFINITELY POSTPONED YEARS NAYS

DATE: 20
RECONSIDERED YEARS NAYS

DATE: 2-14 2017
RD 1 RFD PS & HS

REPORT OF STANDING COMMITTEE
This bill having been referred by the House to its standing committee on PS & HS was acted upon by such committee in session, and returned therefrom to the House with the recommendation that it be Passed, w/amend(s) w/sub
this 1 day of March 2017
Chairperson

DATE: 3-2 2017
RF RD 2 CAL

DATE: 20
RE-REFERRED RE-COMMITTED
Committee

I hereby certify that the Resolution as required in Section C of Act No. 81-889 was adopted and is attached to the Bill, HB 251
YEAS 98 NAYS 1
JEFF WOODARD, Clerk

- 1 R Wood 36
- CO-SPONSORS
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