

810-5-1-.400 Performance and Registration Information Systems Management (PRISM) Program Adopted in Alabama.

(1) **On June 16, 2003, The the** Department of Revenue, in cooperation with the Department of Public Safety, **entered into an agreement with the Federal Motor Carrier Safety Administration, shall to** administer the joint federal/state program known as the Performance and Registration Information Systems Management (PRISM) ~~or such other designation that may, from time to time, be given to such program,~~ to promote motor carrier safety.

(2) The Department ~~of Revenue,~~ in administering the International Registration Plan, shall not issue or transfer motor vehicle registrations and license plates for commercial motor vehicles to any motor carrier or vehicle owner who has been prohibited from operating by a federal and/or state agency responsible for motor carrier safety.

(3) The Department ~~of Revenue,~~ with notice, shall suspend or revoke the registrations and license plates for commercial motor vehicles, issued to any motor carrier or vehicle owner who has been prohibited from operating by a federal or state agency responsible for motor carrier safety.

(4) The Department ~~of Revenue~~ shall reject applications for commercial motor vehicles if the U.S. Department of Transportation Number and/or Taxpayer Identification Number of the motor carrier and of the entity responsible for motor carrier safety for each vehicle is not provided, or if the submitted information does not match information from the federal or state agency responsible for motor carrier safety records. Anyone providing false or fraudulent information herein required may be subject to suspension or revocation of his or her motor vehicle registrations and license plates.

~~(5) Effective November 1, 2003, a motor carrier or vehicle owner(s) registering a commercial motor vehicle(s) in Alabama for the first time under the International Registration Plan IRP shall submit to the Department of Revenue at the time of registration the documents shown in paragraph (7) below, as required.~~

~~(6) (5) Effective January 1, 2004, a A~~ motor carrier or vehicle owner(s) ~~renewing registering a~~ commercial motor vehicle ~~registration(s)~~ in Alabama under the International Registration Plan shall submit ~~to the Department of Revenue at the time of registration~~ the documents shown ~~in paragraph (7)~~ below, as required.

~~(7) The following documents shall be provided in accordance with paragraphs (5) and (6) above:~~

(a) Documentation as to who is responsible for the safety fitness of the fleet(s) or vehicle(s) being registered **(i.e. operational lease agreement)**;

~~(b) An updated motor carrier information report, and/or updated safety certification, as required;~~

~~(c)~~ **(b)** The U.S. Department of Transportation Number (USDOT#) of the motor carrier and of the fleet or vehicle owner(s) if different from the motor carrier;

~~(d)~~ **(c)** The Taxpayer Identification Number (TIN) of the motor carrier and of the owner(s) of the fleet or vehicle(s) being registered;

~~(e)~~ **(d)** Such other information as required, or may be hereinafter required, by the Department ~~of Revenue~~ or federal agency or state agency responsible for motor carrier safety.

~~(f)~~ **(e)** The Department ~~of Revenue~~ shall indicate on the motor vehicle registration database the suspended or revoked status of commercial motor vehicle registrations.

~~(g)~~ **(f)** The terms “commercial motor vehicle,” “commerce” and “motor carrier” as used in this regulation shall be as defined in both Section 32-9A-1, and the Federal Motor Carrier Safety Regulations found in 49CFR Part 390.5, as currently defined, or hereinafter defined.

~~(8)~~ **(6)** Any motor carrier who is denied registration pursuant to Alabama’s participation in the PRISM program through this rule, or whose registration(s) are suspended or revoked pursuant to this rule may appeal to the Administrative Law Judge pursuant to Section 40-2A-8, Code of Alabama 1975. Provided, during the appeal process, the Department may not issue or transfer registrations to a motor carrier who has been prohibited from operating by a federal/state agency, and, during the appeal process, any registrations previously issued by the Department shall be suspended or revoked.

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Authority: Sections 40-2A-7(a)(5) and 32-6-56, Code of Alabama 1975)

History: New rule: Filed November 4, 2003, effective December 9, 2003.

