

810-5-1-.229 Replacement License Plates and Decals.

(1) Registrants, whose license plate and/or validation decals have been mutilated, lost, or stolen, may receive a replacement license plate and/or decal from the license plate issuing official upon completion of Form MVR 40-12-265-1, *Application for Replacement Motor Vehicle Tag and/or Decal*, and payment of a replacement fee as provided in Section 40-12-265(b), Code of Alabama 1975. Upon receipt of the application, the license plate issuing officials shall update their records to reflect the status of the license plate and/or decals so that the information will be available for inquiry by law enforcement.

(2) Section 40-12-265, Code of Alabama 1975, provides that "mutilated or altered license plates are not to be displayed on any motor vehicle." The terms "mutilation" or "alteration" as used in Section 40-12-265, Code of Alabama 1975, shall include, but shall not be limited to, the following: Any situation wherein an unauthorized type decal, sticker, patch or other device or impediment which would tend to block or obscure the license plate number or the revalidation decals or otherwise make the Alabama license plate or decal illegible. If the plate has been mutilated, the license plate must be surrendered to the license plate issuing official, prior to the replacement license plate being issued. The license plate issuing official will retain the mutilated license plate for audit purposes.

(3) Duplicate personalized license plates bearing the original message may be issued if the personalized license plate was lost in the mail; or the personalized license plate is surrendered due to damage, mutilation, etc. A duplicate personalized license plate may be ordered through the license plate issuing official and a duplicate of the original license plate will be shipped to the registrant.

(4) In all other situations, including but not limited to, stolen vehicles, stolen license plates, and impounded, repossessed, or totaled vehicles, a duplicate personalized license plate bearing the original message may NOT be issued until the registration period has expired. The registrant has the following replacement license plate options:

- (a) Request a different personalized message on the original tag type; or
- (b) Request a pre-numbered license plate on the original tag type; or
- (c) Request a pre-numbered license plate on a tag type that does not require an annual additional fee (e.g., standard passenger, *God Bless America*, etc.).

Under the replacement options referenced above, the registrant will not be required to pay the annual additional fee; however, if the registrant decides to obtain a license plate from another license plate category for which there is an annual additional fee, the registrant will be required to pay the annual additional fee associated with the respective license plate category.

(5) Any person operating a motor vehicle with a license plate and/or decal, that has been so mutilated or altered so as to be illegible, is subject to the requirements and sanctions of Section 40-12-265(b).

(6) Should any law enforcement officer locate a license plate or decal previously reported as having been lost or stolen, and such license plate and/or decal is attached to or is being displayed on a different motor vehicle than the vehicle for which the plate or decal was issued, said officer shall confiscate said license plate and/or decal and return it to the Department of Revenue's Motor Vehicle Division.

(7) Any law enforcement officer discovering a license plate and/or decal which had previously been reported as lost or stolen which is attached to or being displayed on a motor vehicle, has probable cause to believe a crime has been committed, and therefore is presumed to have the authority to confiscate the license plate and/or decal as evidence of a crime. Said law enforcement officer shall retain custody of the license plate and/or decal pending judicial determination as to the true ownership of the said license plate and/or decal. Once the true ownership of the license plate and/or decal has been determined by a court of competent jurisdiction, the law enforcement officer shall dispose of the license plate and/or decal in the manner prescribed by the court.

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