

810-5-75-.31 ~~Title Procedure - Transfer Of Title For Vehicle Under The Abandoned Motor Vehicle Act — Bill of Sale (Form MVT 32-13B).~~

~~(1) — The term "department" as used in this regulation shall mean the Department of Revenue of the State of Alabama.~~

~~(1) (2)~~ The designated agent submitting an application for a certificate of title for a motor vehicle sold as an "abandoned motor vehicle" shall complete an ~~MVT 5-1C or~~ MVT 5-1E (Application for Title). The application must be properly completed ~~filled in with a typewriter or printer (BLACK INK)~~ and signed by the designated agent and the owner. The designated agent shall ~~forward~~ submit the application and all supporting documents to the department.

~~(2) (3)~~ Supporting documents shall consist of the following:

(a) Outstanding certificate of title (if available).

~~(b)~~ Abandoned motor vehicle ~~notarized~~ bill-of-sale (Form MVT 32-13B) from the seller of the abandoned motor vehicle to the purchaser. The ~~notarized~~ bill of sale shall contain the following information:

1. Complete Vehicle Description;
2. Date Abandoned;
3. Date and Location of Sale;
4. Name of newspaper and dates of publication;
5. Dates certified mail was sent to owner(s), registrant(s), secured party (parties), and lienholder(s) of record (if any);
6. ~~Information on n~~Net proceeds of sale of abandoned motor vehicle; and
7. Buyer and seller information.

(c) The original certified Abandoned Motor Vehicle Record Request Response statement (MVT 32-13R) either identifying the name and address of the current owners, registrants, secured parties, or lienholders of record, or documenting that the department has no record concerning the current owners, registrants, secured parties, and lienholder for the motor vehicle provided to the seller by the department in response to the filing of an Abandoned Motor Vehicle Record Request Form MVT 32-13 ~~either identifying the name and address of the current owners, secured parties, or lienholders of record, or the original certified Abandoned Motor Vehicle Record Request Response statement from the department that the department has no record of the vehicle.~~

(d) The original certified mail return receipt forms ~~or equivalent documentation as determined by the department~~ evidencing that all parties (owners and lienholders) ~~as disclosed on the original certified Abandoned Motor Vehicle Record Request Response statement referenced above in paragraph (c) listed on the MVT 32-13R~~ were notified, or notification was attempted.

~~(e) — If no owner and/or lienholder records are found in response to the filing of an Abandoned Motor Vehicle Record Request Form MVT 32-13, then the seller must provide a written statement as to what steps were taken to reasonably determine the name(s) of the owner(s) and lienholder(s) of record mentioned in the Abandoned Motor Vehicle Record Request Response referenced above in subparagraph (c), and what steps were taken to give notice to such parties.~~

~~(e) (f) Payment of the Title fee as provided for in See-Section 32-8-6, Code of Alabama 1975, as amended, for Schedule of Fees and Commissions.~~

~~(3) (4) If the party making the sale failed to provide notice, or did not attempt to provide notice to the owners, secured parties, and lienholders of record, the department shall not process~~ **reject** the title application. **The seller may appeal the department's decision in accordance with Section 40-2A-8 (a), Code of Alabama 1975.**

~~(4) (5) Should the current certificate of title to a motor vehicle sold pursuant to the provisions of the Alabama as Abandoned Motor Vehicle Law, codified at, as defined in Section 32-13-1, et seq., Code of Alabama 1975, as amended, be designated have a "salvage" brand, certificate of the subsequent title, must also carry this brand, or if department records indicate an application for a "salvage" certificate of title has previously been received, the new certificate of title issued by the department shall also be a "salvage" certificate of title.~~ The purchaser of a "salvage" abandoned motor vehicle shall not be permitted to register the vehicle, or to operate it upon the highways of Alabama until such time as the vehicle is restored by a licensed rebuilder and inspected by the department as required by Section 32-8-87, Code of Alabama 1975, as amended, and a "rebuilt" Alabama certificate of title is issued.

~~(6) — The implementation date of Act 2006-414 is July 1, 2006. Any application for a certificate of title to a vehicle sold as an abandoned motor on or after July 1, 2006, shall comply with the provisions of Act 2006-414.~~

~~(5) (7) Every purchaser of an abandoned motor vehicle shall title the vehicle in their name. This includes a purchaser who may be a licensed motor vehicle dealer.~~

~~(6) (8) In the event that there is a net sale balance on the MVT 32-13B greater than \$0, the seller must remit the net sale balance to the county license plate issuing official in the county where the sale occurred for deposit into the county general fund. A copy of the MVT 32-13B must also accompany the remittance of the net sale balance. The seller must obtain a receipt for deposit of these funds from the county license plate issuing official and, within ten (10) days,~~

provide the buyer with a copy of the receipt. A copy of the receipt must accompany the MVT 32-13B when the buyer makes application for certificate of title.

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Authority: Sections 40-2A-7(a)(5) and 32-8-3(b)(2), Code of Alabama 1975
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