

810-5-75-.60 Revocation ~~and Denial~~ of Authority to Act as Designated Agent or Title Service Provider

(1) The department may revoke the authority of a designated agent, ~~or deny the application of designated agent applicant or title service provider~~ if the designated agent ~~or applicant or title service provider~~ fails to faithfully perform the duties under Chapter 8 of Title 32 of the Code of Ala. 1975, or has been convicted of any felony as provided for in § 32-8-3, Code of Ala. 1975. A written notice shall be provided by the department to the designated agent, ~~or designated agent applicant or title service provider~~ detailing the area or areas of alleged non-compliance. A ~~written~~ response must be submitted to the department within ten (10) calendar days from the date of the notice either refuting the alleged non-compliance, or detailing the action taken to correct the area or areas of non-compliance ~~within 10 calendar days from the date of the department's notice~~.

(2) Failure ~~of a designated agent~~ to satisfactorily respond ~~to the department within 10 calendar days of the notice provided in paragraph (1)~~ will result in the issuance of a ~~designated agent~~ revocation notice advising that access to the title system is immediately suspended and that the authority to act as a designated agent or title service provider will be revoked ~~in 30 calendar days~~.

~~(3) — Failure of a designated agent applicant to respond to the department within 10 calendar days of the notice provided in paragraph (1) will result in the issuance of a designated agent applicant refusal notice advising that the application for a designated agent license has been denied.~~

(4) The ~~designated agent~~ revocation notice ~~and designated agent application refusal notice~~ serve as will include notice of the right to appeal the department's intended action pursuant to § 40-2A-8, Code of Ala. 1975. ~~Failure to timely appeal will result in the revocation of the authority of the designated agent, or denial of the authority to become a designated agent.~~

(5) Upon revocation, the designated agent will be required to immediately deliver to the department ~~their Designated Agent Certificate~~, monies collected and due the department, title applications, and title documents used to support an application for certificate of title processed by the designated agent, ~~and other title forms supplied to the agent by the department as a result of having been afforded designated agent status. In order to insure compliance with the revocation process, t~~The department may call upon any law enforcement agency of the state to seize any aforementioned items that the agent has not voluntarily returned as provided in Section 32-8-10 Code of Ala. 1975.

(6) In the event that the designated agent is a licensed motor vehicle dealer and the license is revoked, the licensee's designated agent status will also be immediately revoked.

~~(6)(7)~~ An individual listed as a principal officer of a previously revoked designated agent or title service provider, or an employee or representative of a previously revoked designated agent or title service provider whose actions contributed to the revocation ~~of the designated agent~~ may not become a designated agent using a different company name or entity status. If the department determines that a principal officer, employee, or representative of a previous designated agent or title service provider, whose designated agent status was revoked for failing to faithfully perform its duties, has made application to be appointed as a designated agent or title service provider of the department under a different company name, or entity status, the department shall have grounds to deny the company's application ~~for or revoke designated agent status~~.

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**Authority:** §§ 32-8-3, 40-2A-7(a)(5), 40-2A-8, and Chapter 8 of Title 32, Code of Ala. 1975.

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