



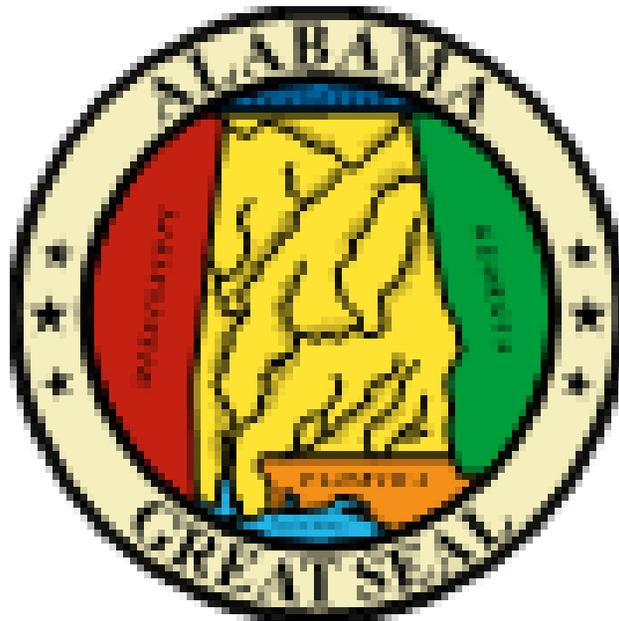
*Alabama Department  
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*Motor Vehicle Division*

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# Association of Alabama Tax Administrators June 14, 2016



## Motor Vehicle Legislative and Regulatory Updates



*Alabama Department  
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# Registration Updates



# 2016 Regular Session Legislative Acts

## INFORMATION ONLY

### Act 2016-421: HB146-Rep. Wilcox

- Amends 33-5-11 to require vessel owner, upon registration, to apply for identification number for vessel to be attached to each side of bow.
- LOC meeting May 18, 2016 – indicates voluntary/not required
- ALEA issues decals valid for five years (\$20 + \$2 issuance fee)
  - Owner can elect to instead receive ID stickers supporting organization eligible for distinctive motor vehicle license plate.
  - Distinctive ID sticker - \$50 (\$25 to sponsoring organization and \$25 (less any additional costs of production and processing) for operation of state parks.
- Effective Date – Immediate; Implement October 1, 2016



# 2016 Regular Session Legislative Acts

## INFORMATION ONLY

### Act 2016-324: SB375-Senator Waggoner

- Additional duties allowed for Municipalities in Jefferson County
  - If motor vehicle title application completed by designated agent:
    - process original registration
    - process change in ownership
  - Boat registration transactions
- Effective Date – May 10, 2016

# 2016 Regular Session Legislative Acts

Act 2016-408: SB163-Senator Dial

Section 1

New Code Section

- New “State Park” distinctive license plate available January 2017
- Annual additional fee of \$50
- Net proceeds to Department of Conservation to benefit state park system
- Effective January 1, 2017





# 2016 Regular Session Legislative Acts

Act 2016-408: SB163-Senator Dial

Section 2

Amends Code Section 32-6-64.1

- Removes \$5 fee when metal plate issued for:
  - Military
  - Veteran
  - Alabama Gold Star Family (32-6-630) and
  - Replacement (40-12-265) plates
- Effective August 1, 2016



# 2016 Regular Session Legislative Acts

## Act 2016-408: SB163-Senator Dial

Continued

Section 2 - Amends Code Section 32-6-68

- Distribution for all distinctive plates additional (\$50) fee (32-6-68)
  - Except \$5 distribution to Department of Senior Services “John L. Buskey Senior Meals Program” not withheld from:
    - Children’s Trust Fund (32-6-450)
    - Ducks Unlimited (32-6-460)
    - Support the Arts (32-6-470)
    - Alabama Cattlemen’s Foundation (32-6-500)
    - Alabama Association of Realtors (32-6-520)
    - Alabama Wildlife Federation (32-6-560)
    - God Bless America Personalized (32-6-611)
    - State Law Enforcement Memorial (32-6-680)
- Effective August 1, 2016



# 2016 Regular Session Legislative Acts

## Act 2016-408: SB163-Senator Dial

### Section 2 Continued - Amends Code Section 32-6-68

- When law does not specify distribution for additional fee
  - After distribution 32-6-68(b)(1)-(3)
  - Net proceeds (\$46.25) distributed to State General Fund
    - Like Out of State college or university (32-6-67 (e))
- Specifies this section does not apply to the standard personalized plates (32-6-150)
- Effective August 1, 2016



# 2016 Regular Session Legislative Acts

Act 2016-408: SB163-Senator Dial

Continued

Section 3

Moves Code Section 32-6-150.1 to 32-6-69

- \$50 additional fee for distinctive plates distributed in accordance with 32-6-68 except:
  - Public two-year and four-year colleges and universities
  - Private four-year colleges and universities
  - Athens State University
  - Environmental distinctive plate (32-6-150)
  - Plates listed on next slide



# 2016 Regular Session Legislative Acts

## Act 2016-408: SB163-Senator Dial

### Section 3 Continued - Moves Code Section 32-6-150 to 32-6-69

- Details distinctive plate categories where additional \$50 fee does not apply
  - Bicentennial - unless personalized (32-6-155.3) - \$0
  - God Bless America - unless personalized (32-6-610) - \$0
  - Helping Schools (32-6-300) - \$20
  - Educator and Retired Educator (32-6-302) - \$50/\$25
  - Gold Star Family – unless personalized (32-6-630) - \$0
  - Plates exempt from personalization in subsection (a)
- Still will pay \$5 in year metal plate issued (32-6-64.1)



# 2016 Regular Session Legislative Acts

Act 2016-408: SB163-Senator Dial

Continued

Section 4

Amends Code Section 32-6-250 and 32-6-251

- New “Silver Star” plate
- Must provide proof of receiving the Silver Star – DD214
- The first plate is a permanent distinctive plate
- Regular registration fee, ad valorem tax, and an annual additional fee of \$25 must be paid for all Silver Star license plates
- Net proceeds distributed to the Alabama Veterans Assistance Fund
- Effective Date – August 1, 2016





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# 2016 Regular Session Legislative Acts

Act 2016-408: SB163-Senator Dial

Section 4- Continued

Amends Code Section 32-6-630

- Alabama Gold Star Family plate to be designed by Department of Veteran Affairs in consultation with Alabama Gold Star Family Organization.
- Next redesign – January 2021
- Effective Date – August 1, 2016



# 2016 Regular Session Legislative Acts

## INFORMATION ONLY

### Act 2016-409: SB262-Senator Shelnett

- Transportation Network Company (TNC) Insurance Requirements
  - Lyft, Uber, etc.
    - connect paying passenger with driver (privately owned vehicle)
  - Required to maintain additional coverage when operating vehicle under TNC
- No changes related to Mandatory Liability Insurance (MLI) requirements
  - Vehicle owner proves MLI coverage for registration transactions
- Effective Date – August 1, 2016



# 2016 Regular Session Legislative Acts

## Act 2016-339: HB94 Representative Baker

- Amends Code Sections 32-6-130, 40-12-254 and 40-12-244
- Amends Disabled Veteran registration fee exemption/reduction
  - Apply to **any** license plate category they qualify for.
  - Exemption/reduction for standard registration fee only.
  - If want distinctive plate with additional fee due- must pay the additional fee.
- Effective Date – January 1, 2017



# 2016 Regular Session Legislative Acts

Act 2016-355: HB246 Representative Ledbetter  
Code Section to be determined

- New “Stop Domestic Violence” distinctive license plate
- Additional annual fee of \$50
- to be distributed in accordance with 32-6-68
  - Portion due sponsoring organization goes to office of the district attorney for the county where plate issued.
  - For use and benefit of domestic violence prevention programs.
- Effective Date – January 1, 2017



# Administrative Rule

## 810-5-1-.238 Registration of Motor Vehicles Not Subject to Titling

- Section (2) updates related to items to verify upon physical inspection of vehicle/ownership documents.
  - Removes reference to 17 digit NHTSA conforming VIN.
  - Clarifies vehicle cannot be registered for public highway use if the MSO, title or bill of sale indicates the vehicle is for off road use only.
  - Specifies additional items identified in certification label on vehicle:
    - manufacturer
    - VIN
    - date of manufacture
    - statement: “This vehicle conforms to all applicable federal motor vehicle safety standards in effect on the date of manufacture shown above.”
- Effective date – February 10, 2016



# Administrative Rule

810-5-1-.246 Bill of Sale, Invoice or Other Sales Document – Minimum Requirements.

- Updated to clarify minimum requirements for bill of sale, invoice, or other sales document.
- Dealer purchase – include purchase price sales tax paid on, amount and rate of tax collected.
- Designated agent and/or dealer license number, if applicable.
- Purchaser may provide a sworn affidavit in lieu of bill of sale from license retail dealer. Reflects purchase price (S & U: AF-2 form).
  - Restricted – cases dealer no longer in business or other use as authorized by department.
  - Tax charged = standard value for year, make, and model established by ADOR.
- Effective date – To Be Determined (rule hearing held June 8, 2016)



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# Title Updates



# 2016 Regular Session Legislative Acts

## Act 2016-358: HB280-Representative Wood

### Section 1

Amends Code Section 32-8-30, 32-8-31; 32-8-42 and 32-8-46

- Updates the title requirements for vehicles of a certain age or type.
- For example:
  - Vehicles over 35 years old
  - Trailers over 20 years old
  - Low speed vehicles
  - Certain motor driven cycles



# 2016 Regular Session Legislative Acts

## Act 2016-358: HB280-Representative Wood

Section 1 Continued - Amends Code Section 32-8-30,  
32-8-31; 32-8-42 and 32-8-46

- Requires a person or entity initiating an involuntary transfer by operation of law in Alabama to give notice of the action to the department at least 35 calendar days prior to the date of the transfer.
- Requires the Department to maintain a list of reported vehicles to the public, without fee.



# 2016 Regular Session Legislative Acts

## Act 2016-358: HB280-Representative Wood

Section 1 Continued - Amends Code Section 32-8-30,  
32-8-31; 32-8-42 and 32-8-46

- Does not apply to a motor vehicle transferred pursuant to the abandoned law or to a motor vehicle transferred pursuant to a divorce decree, or to a motor vehicle transferred pursuant to documents creating a lien or other security interest in the motor vehicle
- Effective Date: January 1, 2017



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# 2016 Regular Session Legislative Acts

Act 2016-358: HB280-Representative Wood

Section 2

New Code Section

- Provides that act 2015-470 only applies to the sale of an abandoned vehicle for which notice is published on or after July 1, 2016.



# 2016 Regular Session Legislative Acts

## Act 2016-358: HB280-Representative Wood

### Section 2 Continued - New Code Section

- If the notice of the sale was posted prior to July 1, 2016, the vehicle could be sold under the current abandoned MV law.
- Vehicle must be titled prior to the end of the calendar year 2016, or the purchaser would be required to post a title surety bond in order to title the vehicle.
- Effective Date: July 1, 2016

# Administrative Rules

- 810-5-12-.01 Application for New and Used Motor Vehicle Dealer, Motor Vehicle Wholesaler, and Motor Vehicle Rebuilder Licenses –Application for Off- site Sales Event.
- Amended - Effective January 4, 2016
- To establish a permanent location, an applicant must demonstrate to the department the satisfaction of at least three (3) of the following:
  1. If the applicant is an individual, that his or her driver's license or non-driver identification card is issued by Alabama.
  2. If the applicant is a corporation, partnership, LLC or LLP that it is incorporated in Alabama or registered to conduct business in Alabama as a foreign corporation.
  3. If the applicant is a corporation, that the principal owner is a resident of Alabama.

# Administrative Rules

- 810-5-12-.01 Continued -
  4. The applicant has filed an Alabama income tax return for the previous tax year.
  5. The applicant has paid real estate or personal property taxes to Alabama.
  6. The applicant receives utility bills in Alabama in its name.
  7. Other factors that clearly evidence the applicant's legal residence in Alabama.
- When retail sales are conducted from a residence, the location must be properly zoned for business.
- A permanent location does not include the following:
  1. A shared or common space with other tenants.
  2. Space rented by the hour or day.
  3. Cubicles
  4. Temporary, virtual or rotating office spaces
  5. More than one (1) dealer under the same roof



# Administrative Rule

810-5-75-.40 Requirements for Names and Signatures on Title Applications, Title Assignments and Motor Vehicle Registrations

- Note that the owner's name must be in agreement on all title documents and any variance(s) in the owner's name between title documents will require that the owner provide an affidavit attesting to the variance(s). **The affidavit must be notarized, unless witnessed by a designated agent.**
- **If the current legal name of the owner or operator has changed, and the certificate of title is issued by another state and is being held by a lienholder, and the vehicle is not required to be titled in this state as provided by 32-8-31, the owner or operator must provide evidence of the current legal name, which shall be shown on the vehicle registration.**
- **Memo 2015-23 and Memo 2015-24**
- Effective date – May 20, 2016

## CONTACT INFORMATION

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# Questions

