

810-5-75-.60 Revocation and Denial of Authority to Act as
Designated Agent

(1) The department may revoke the authority of a designated agent, or deny the application of designated agent applicant if the designated agent or applicant 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 detailing the area or areas of alleged non-compliance. A written response must be submitted to the department 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 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 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, 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, the department may call upon any law enforcement agency of the state to seize any aforementioned items that the agent has not voluntarily returned.

(6) An individual listed as a principal officer of a previously revoked designated agent, or an employee or representative of a previously revoked designated agent 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, whose designated agent status was revoked for failing to faithfully perform its duties, has made application to be

appointed as a designated agent 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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