

(1) Resident Registration Requirements. (a) The owner of a motor vehicle is required to register the vehicle in the county in which the owner resides, if the owner is an individual. If the owner is not an individual, but is instead a “firm, corporation, or association,” then the owner is required to register the vehicle in the county where the motor vehicle “is used or operated.”

(b) An individual’s place of residence, or domicile, is the first instance considered by the licensing official’s office in determining legal residence, regardless of whether the vehicle owner has multiple residences in different counties. If a person is factually determined to be a legal resident of a city or county, that is the only county where the person can register their vehicle, regardless of if that person owns or rents a second house (i.e. lake house, beach house, farm, etc.) in another county.

(c) The question of determining residency is both where the registrant evidences an intention to reside and where he or she actually resides. This determination is based upon many factors, such as the following:

1. The county where a person is registered to vote.
2. The place where an individual is issued a driver’s license or non-driver identification.
3. The place where the individual’s children attend school.
4. The place where the person works.
5. The county where the individual has claimed their property tax homestead exemption.

(d) The license issuing official is entitled to make a reasonable investigation into the facts of residency on a case-by-case basis to satisfy the official’s determination of residency, which may consist of the use of a legal resident affidavit included in form MVR-15.

(e) No license will be issued to an individual that operates a motor vehicle on the public highways of this state, and no transfer of title will be made by the license issuing official until the ad valorem tax on the motor vehicle is paid in the county where the owner of the vehicle resides.

(f) An individual who asserts a change of residence has the burden of establishing it.

(g) The owner of an automobile who furnishes a false residence address with the intent to avoid municipal or county ad valorem taxes may be convicted of a Class C misdemeanor in accordance with §40-29-115, Code of Ala. 1975.

(2) Nonresident Registration. (a) §40-12-240, Code of Ala. 1975, defines a “nonresident” as “every person who is not a resident of this state.” §40-12-262, Code of Ala. 1975, specifically provides that the provisions of the Alabama Motor Vehicle License and Registration Laws do not apply to motor vehicles owned by a nonresident of Alabama in the following instances:

1. A motor vehicle properly registered in another state that is physically present in Alabama for up to thirty (30) days operating upon the highways of this state.

2. A motor vehicle operating upon the highways of this state for hire, or for commercial purposes, and is in compliance with the motor vehicle registration laws of the state of residence of the owner.

3. A motor vehicle owned by military members or members of their immediate family assigned to an Alabama location by virtue of military orders.

4. A motor vehicle of a nonresident student attending a college or university in Alabama.

(b) A certificate of title will not be issued for a vehicle owned by a nonresident.

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Authority: §§ 32-8-3, 40-2A-7(a)(5), 40-29-115, 40-12-240, 40-12-253, and 40-12-262, Code of Ala. 1975.

History: Adopted: Filed July 1, 2020; effective September 14, 2020.