

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

(1) The department may revoke the authority of a designated agent or title service provider if the designated agent 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 title service provider detailing the area or areas of alleged non-compliance. A 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.

(2) Failure to satisfactorily respond will result in the issuance of a 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.

(3) The revocation notice will include notice of the right to appeal the department's intended action pursuant to § 40-2A-8, Code of Ala. 1975.

(4) Upon revocation, the designated agent will be required to immediately deliver to the department 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. 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 §32-8-10, Code of Ala. 1975.

(5) 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) 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 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employee, or representative of a previous designated agent or title service provider, whose designated agent status was revoked for failing to faithfully perform its duties, has made application to be appointed as a designated agent or title service provider of the department under a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.

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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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