

1 HB116  
2 114363-1  
3 By Representative Todd (Constitutional Amendment)  
4 RFD: Government Appropriations  
5 First Read: 12-JAN-10  
6 PFD: 01/06/2010

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8 SYNOPSIS: Under existing law, funds derived from fees  
9 and taxes levied by the state relating to the use  
10 and operation of motor vehicles and motor vehicle  
11 fuels may only be used for the construction,  
12 maintenance, and repair of public highways and  
13 bridges and for costs related to traffic regulation  
14 and enforcement.

15 This bill would propose an amendment to  
16 Amendment 93, as amended by Amendment 354, to the  
17 Constitution of Alabama of 1901, now appearing as  
18 Section 111.06 of the Official Recompilation of the  
19 Constitution of Alabama of 1901, as amended, to  
20 also authorize these funds to be used for public  
21 transportation.

22  
23 A BILL  
24 TO BE ENTITLED  
25 AN ACT  
26

1           To propose an amendment to Amendment 93, as amended  
2           by Amendment 354, to the Constitution of Alabama of 1901; now  
3           appearing as Section 111.06 of the Official Recompilation of  
4           the Constitution of Alabama of 1901, as amended, to authorize  
5           the expenditure of certain motor vehicle related fees and  
6           taxes levied by the state for public transportation.

7           BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

8           Section 1. The following amendment to the  
9           Constitution of Alabama of 1901, as amended, is proposed and  
10          shall become valid as a part thereof when approved by a  
11          majority of the qualified electors voting thereon and in  
12          accordance with Sections 284, 285, and 287 of the Constitution  
13          of Alabama of 1901, as amended:

14                   PROPOSED AMENDMENT

15                   "Amendment No. 354

16                   AMENDMENT OF AMENDMENT NO. 93.

17                   "No moneys derived from any fees, excises, or  
18          license taxes, levied by the state, relating to registration,  
19          operation, or use of vehicles upon the public highways except  
20          a vehicle-use tax imposed in lieu of a sales tax, and no  
21          moneys derived from any fee, excises, or license taxes, levied  
22          by the state, relating to fuels used for propelling such  
23          vehicles except pump taxes, shall be expended for other than  
24          cost of administering such laws, statutory refunds and  
25          adjustments allowed therein, cost of construction,  
26          reconstruction, maintenance and repair of public highways and  
27          bridges, costs of highway rights-of-way, payment of highway

1 obligations, the cost of traffic regulation, ~~and~~ the expense  
2 of enforcing state traffic and motor vehicle laws, and for  
3 public transportation. The provisions of this amendment shall  
4 not apply to any such fees, excises, or license taxes now  
5 levied by the state for school purposes for this whole state  
6 or for any county or city board of education therein; and the  
7 legislature may provide for the manufacture, distribution and  
8 use on private passenger or pleasure motor vehicles of  
9 personalized license plates or tags, bearing some special  
10 letters, figures, mark or badge of distinction or personal  
11 prestige in lieu of the regular license plates or tags, and if  
12 it does so, the legislature must also require that such tags  
13 may be procured only by payment of a fee or charge, in  
14 addition to the regular fee, excise or license tax for the  
15 registration, operation or use of such motor vehicles upon the  
16 highways. The moneys derived from the additional charge made  
17 for such special or distinctive license plates or tags, in  
18 excess of the cost of the manufacture and distribution of such  
19 plates or tags, may be used in such manner as the legislature  
20 prescribes."

21 Section 2. An election upon the proposed amendment  
22 shall be held in accordance with Sections 284 and 285 of the  
23 Constitution of Alabama of 1901, as amended, and the general  
24 election laws of this state.

25 Section 3. The appropriate election official shall  
26 assign a ballot number for the proposed constitutional  
27 amendment on the election ballot and shall set forth the

1 following description of the substance or subject matter of  
2 the proposed constitutional amendment:

3 "Proposing an amendment to the Constitution of  
4 Alabama of 1901, to authorize certain motor vehicle related  
5 fees and taxes levied by the state to be used for public  
6 transportation.

7 "Proposed by Act \_\_\_\_\_."

8 This description shall be followed by the following  
9 language:

10 "Yes ( ) No ( )."