

1 SB408
2 114926-1
3 By Senator Bedford (Constitutional Amendment)
4 RFD: Finance and Taxation General Fund
5 First Read: 11-FEB-10

2
3
4
5
6
7
8 SYNOPSIS: Under existing law, certain funds derived
9 from fees and taxes relating to the licensing, 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
14 regulation 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 specify that the Legislature may distribute a
21 portion of the fees for the licensing and
22 registration of boat trailers, including personal
23 watercraft trailers, to rescue squads for the use
24 of rescue squads providing rescue services and to
25 the Department of Transportation for boat ramps.

26
27 A BILL

1 TO BE ENTITLED

2 AN ACT

3
4 To propose an amendment to Amendment 93, as amended
5 by Amendment 354, to the Constitution of Alabama of 1901, now
6 appearing as Section 111.06 of the Official Recompilation of
7 the Constitution of Alabama of 1901, as amended, to specify
8 that the Legislature may distribute a portion of the fees for
9 the licensing and registration of boat trailers, including
10 personal watercraft trailers, to rescue squads for the use of
11 rescue squads providing rescue services and to the Department
12 of Transportation for boat ramps.

13 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

14 Section 1. The following amendment to the
15 Constitution of Alabama of 1901, as amended, is proposed and
16 shall become valid as a part thereof when approved by a
17 majority of the qualified electors voting thereon and in
18 accordance with Sections 284, 285, and 287 of the Constitution
19 of Alabama of 1901, as amended:

20 PROPOSED AMENDMENT

21 "Amendment No. 354

22 AMENDMENT OF AMENDMENT NO. 93.

23 "No moneys derived from any fees, excises, or
24 license taxes, levied by the state, relating to registration,
25 operation, or use of vehicles upon the public highways except
26 a vehicle-use tax imposed in lieu of a sales tax, and no
27 moneys derived from any fee, excises, or license taxes, levied

1 by the state, relating to fuels used for propelling such
2 vehicles except pump taxes, shall be expended for other than
3 cost of administering such laws, statutory refunds and
4 adjustments allowed therein, cost of construction,
5 reconstruction, maintenance and repair of public highways and
6 bridges, costs of highway rights-of-way, payment of highway
7 obligations, the cost of traffic regulation, and the expense
8 of enforcing state traffic and motor vehicle laws. The
9 provisions of this amendment shall not apply to any such fees,
10 excises, or license taxes now levied by the state for school
11 purposes for this whole state or for any county or city board
12 of education therein; and the legislature may provide for the
13 manufacture, distribution and use on private passenger or
14 pleasure motor vehicles of personalized license plates or
15 tags, bearing some special letters, figures, mark or badge of
16 distinction or personal prestige in lieu of the regular
17 license plates or tags, and if it does so, the legislature
18 must also require that such tags may be procured only by
19 payment of a fee or charge, in addition to the regular fee,
20 excise or license tax for the registration, operation or use
21 of such motor vehicles upon the highways. The moneys derived
22 from the additional charge made for such special or
23 distinctive license plates or tags, in excess of the cost of
24 the manufacture and distribution of such plates or tags, may
25 be used in such manner as the legislature prescribes.
26 Notwithstanding the other provisions of this amendment, the
27 Legislature may distribute a portion of the fees from the

1 licensing and registration of boat trailers, including
2 personal watercraft trailers, to rescue squads in this state
3 for the use of rescue squads providing rescue services and to
4 the Department of Transportation for public boat ramps."

5 Section 2. An election upon the proposed amendment
6 shall be held in accordance with Sections 284 and 285 of the
7 Constitution of Alabama of 1901, as amended, and the general
8 election laws of this state.

9 Section 3. The appropriate election official shall
10 assign a ballot number for the proposed constitutional
11 amendment on the election ballot and shall set forth the
12 following description of the substance or subject matter of
13 the proposed constitutional amendment:

14 "Proposing an amendment to the Constitution of
15 Alabama of 1901, now appearing as Section 111.06 of the
16 Official Recompilation of the Constitution of Alabama of 1901,
17 as amended, to specify that the Legislature may distribute a
18 portion of the fees for the licensing and registration of boat
19 trailers, including personal watercraft trailers, to rescue
20 squads for the use of rescue squads providing rescue services
21 and to the Department of Transportation for boat ramps.

22 Proposed by Act _____."

23 This description shall be followed by the following
24 language:

25 "Yes () No ()."