

1 HB44  
2 154775-1  
3 By Representative Boothe  
4 RFD: Public Safety and Homeland Security  
5 First Read: 14-JAN-14  
6 PFD: 11/18/2013

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8 SYNOPSIS: Under existing law, a farmer may obtain a  
9 motor vehicle farm tag at a reduced annual license  
10 tax and registration fee for one truck tractor  
11 owned and used by the farmer for transporting farm  
12 products.

13 This bill would delete the limitation  
14 limiting a farmer to obtaining one farm tag for  
15 truck tractors used by the farmer to transport farm  
16 products.

17  
18 A BILL  
19 TO BE ENTITLED  
20 AN ACT  
21

22 To amend Section 40-12-248, Code of Alabama 1975,  
23 relating to the annual license tax and registration fee with  
24 respect to truck tractors owned and used by a farmer to  
25 transport farm products; to delete the limitation authorizing  
26 a farmer to obtain a tag at a reduced annual license tax and  
27 registration fee for only one truck tractor.

1 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

2 Section 1. Section 40-12-248, Code of Alabama 1975,  
3 is amended to read as follows:

4 "§40-12-248.

5 "(a) For each truck or truck tractor using the  
6 public highways of this state, annual license taxes and  
7 registration fees based on the gross vehicle weight in pounds  
8 are imposed and shall be charged. For the purposes of this  
9 section, the term "gross vehicle weight" shall mean the empty  
10 weight of the truck or truck tractor plus the heaviest load to  
11 be carried and, in the case of combinations, shall be deemed  
12 to include also the empty weight of the heaviest trailer with  
13 which the power unit shall be placed in combination, plus the  
14 heaviest load to be carried. No tolerance or margin of error  
15 shall be allowable under this section, except as provided in  
16 subsection (b).

17 "(b) For each truck or truck tractor using the pub-  
18 lic highways of this state, the annual license taxes and reg-  
19 istration fees herein imposed (i) shall consist of the base  
20 amount applicable to the truck or truck tractor under the  
21 schedule of base amounts set forth in this subsection, plus  
22 (ii) the additional amount, if any, applicable to the truck or  
23 truck tractor under the schedule of additional amounts set  
24 forth in this subsection:

25 "SCHEDULE OF BASE AMOUNTS

1

2

"Gross Vehicle

3

"Weight in Pounds

Base Amount

4

"0 to 8,000

\$10.70

5

"8,001 to 10,000

17.50

6

"10,001 to 12,000

52.50

7

"12,001 to 18,000

85.00

8

"18,001 to 26,000

117.50

9

"26,001 to 33,000

150.00

10

"33,001 to 42,000

260.00

11

"42,001 to 55,000

292.50

12

"55,001 to 64,000

325.00

13

"64,001 to 73,280

357.50

14

"73,281 to 80,000

407.50

15

"80,001 or over

445.00

16

"SCHEDULE OF ADDITIONAL AMOUNTS

17

18

"Gross Vehicle

19

"Weight in Pounds

Additional Amount

1	"0 to 8,000	\$2.30
2	"8,001 to 10,000	17.50
3	"10,001 to 12,000	52.50
4	"12,001 to 18,000	85.00
5	"18,001 to 26,000	117.50
6	"26,001 to 33,000	150.00
7	"33,001 to 42,000	260.00
8	"42,001 to 55,000	292.50
9	"55,001 to 64,000	325.00
10	"64,001 to 73,280	357.50
11	"73,281 to 80,000	407.50
12	"80,001 or over	445.00

13                    "The total amount of the annual license tax and  
14 registration fee shall be limited with respect to trucks or  
15 truck tractors owned and used by a farmer for transporting  
16 farm products or the personal property of the farmer for use  
17 on his or her farm to a maximum of thirty dollars (\$30) where  
18 the gross vehicle weight of the truck does not exceed 30,000  
19 pounds; to a maximum of eighty-five dollars (\$85) where the  
20 gross vehicle weight of the truck exceeds 30,000 pounds, but  
21 does not exceed 42,000 pounds; and to a maximum of two hundred  
22 fifty dollars (\$250) where the gross vehicle weight of the  
23 truck or truck tractor is up to and including the class

1 currently designated 80,001 pounds or over; ~~provided, however,~~  
2 ~~a farmer shall be entitled to pay this reduced annual license~~  
3 ~~tax and registration fee for only one truck tractor; for each~~  
4 ~~additional truck tractor the annual license tax and~~  
5 ~~registration fee shall be determined from the "schedule of~~  
6 ~~base amounts" and "the schedule of additional amounts" based~~  
7 ~~on the gross vehicle weight in pounds;~~ and the annual license  
8 tax and registration fee shall be limited with respect to  
9 trucks owned and used by any person for transporting forest  
10 products from the point of severance to a sawmill, to a  
11 papermill, or to a concentration yard to a maximum of forty  
12 dollars (\$40) where the gross vehicle weight of the truck does  
13 not exceed 30,000 pounds and to a maximum of sixty-five  
14 dollars (\$65) where the gross vehicle weight exceeds 30,000  
15 pounds, but does not exceed 42,000 pounds.

16 "For purposes of enforcement of farm truck license  
17 tags, or of forest products truck license tags for trucks that  
18 do not exceed 42,000 pounds in gross vehicle weight, all  
19 scaled weight shall be allowed a tolerance or a margin of  
20 error of 10 percent of the true gross or axle weights to allow  
21 for any climatic conditions.

22 "For each truck tractor which is operated by a  
23 certificated motor carrier and which is operated exclusively  
24 within 15 miles of the corporate limits of the incorporated  
25 municipality in which it is customarily domiciled, but not  
26 including vehicles operating beyond the borders of Alabama,  
27 and which is registered in the county in which it is

1 customarily domiciled, a total annual license tax and  
2 registration fee of three hundred dollars (\$300) is imposed  
3 and shall be charged.

4 "The total amount of the annual license tax and reg-  
5 istration fee shall be limited to the following schedule for  
6 all self-propelled campers or house cars, but a self-propelled  
7 camper or a house car whose weight does not exceed 8,000  
8 pounds, shall be subject to the provisions of Section  
9 40-12-273(b):

10 "SCHEDULE OF BASE AMOUNTS

11

12 "Gross Vehicle	
13 "Weight in Pounds	Base Amount
14 "0 to 8,000	\$10.70
15 "8,001 to 12,000	25.00
16 "12,001 to 18,000	50.00
17 "18,001 to 26,000	87.50
18 "26,001 to 33,000	137.50
19 "33,001 to 42,000	250.00

20 "SCHEDULE OF ADDITIONAL AMOUNTS

1	"Gross Vehicle	
2	"Weight in Pounds	Additional Amount
3	"0 to 8,000	\$2.30
4	"8,001 to 12,000	25.00
5	"12,001 to 18,000	50.00
6	"18,001 to 26,000	87.50
7	"26,001 to 33,000	137.50
8	"33,001 to 42,000	250.00

9                   "(1) Notwithstanding the other provisions of this  
10 section, a pickup truck as defined in Section 32-8-2, which is  
11 used for personal or agricultural use and which is not  
12 operated for commercial purposes, shall be licensed and  
13 registered based on the gross weight of the vehicle only  
14 without regard to the heaviest load to be carried including  
15 the heaviest load to be carried on any trailer used in  
16 combination with the truck, and, for purposes of this  
17 subdivision, the term "gross vehicle weight in pounds" as used  
18 in this subsection means the gross weight of the vehicle only  
19 without regard to the heaviest load to be carried including  
20 the heaviest load to be carried on any trailer used in  
21 combination with the truck.



1           "(2) Notwithstanding the other provisions of this  
2 section, a motor vehicle wrecker, commonly known as a tow  
3 truck, which is used primarily to move, tow, or recover  
4 disabled motor vehicles or used for impoundment purposes,  
5 shall be licensed and registered based on the gross vehicle  
6 weight of the wrecker only without regard to the gross vehicle  
7 weight of any motor vehicle to be towed by the wrecker.

8           "(c) Every person making application for license  
9 under this section to use a truck or truck tractor on the  
10 public highways of this state shall be required to make an  
11 affidavit declaring the gross vehicle weight of the truck or  
12 truck tractor and file the affidavit with the judge of  
13 probate, or other county licensing officer, in the county in  
14 which the application is made. Upon payment of the applicable  
15 motor vehicle license tax or registration fee, the license to  
16 use the truck or truck tractor on the public highways of this  
17 state shall be limited to the gross vehicle weight so declared  
18 by the owner, which shall be deemed to constitute the  
19 allowable gross vehicle weight for which the vehicle is  
20 licensed.

21           "After having obtained a license under this section  
22 with respect to any truck or truck tractor, the owner thereof  
23 may during the then current tax year voluntarily increase the  
24 allowable gross vehicle weight for which the vehicle is  
25 licensed by making a new affidavit, applying for a new license  
26 applicable to the appropriate gross vehicle weight  
27 classification, surrendering the license plates or tags

1 previously obtained, and paying the difference between the  
2 fees applicable to a license for the higher weight  
3 classification desired and the fee in respect of the license  
4 so surrendered. The license classification of a truck or truck  
5 tractor may not be decreased, however, except once a year at  
6 the time new license tags or plates are purchased for the  
7 truck or truck tractor."

8 Section 2. This act shall become effective  
9 immediately following its passage and approval by the  
10 Governor, or its otherwise becoming law.