

1 HB17
2 169675-4
3 By Representatives Shedd and Standridge
4 RFD: Military and Veterans Affairs
5 First Read: 03-MAR-15
6 PFD: 02/18/2015

1
2 ENROLLED, An Act,

3 Relating to distinctive motor vehicle plates or
4 tags; to amend Sections 32-6-64, 32-6-64.1, 32-6-250,
5 32-6-251, 32-6-271, 32-6-280, 32-6-300, 32-6-301, 32-6-630,
6 32-8-30, 32-8-34, 32-8-35, 32-8-39, 40-12-244, and 40-12-414,
7 Code of Alabama 1975; to provide for various distinctive motor
8 vehicle license plates, provide a fee and distribution of the
9 fee for the various plates; to authorize the issuance of
10 motorcycle license plates for all distinctive license plate
11 categories and provide that the same registration fee and any
12 ad valorem tax exemption or reduction applies; to allow all
13 distinctive license plates to be personalized, except for
14 certain distinctive plates, and provide for an annual
15 additional fee; to provide for an additional fee for the
16 issuance of any distinctive license plate and any personalized
17 license plate to be paid only in the year the plate is issued
18 and provide for distribution of the fee; and to standardize
19 the surety bond amount for all designated agents of the
20 Department of Revenue for the issuance of certificates of
21 title.

22 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

23 Section 1. Sections 32-6-64, 32-6-64.1, 32-6-250,
24 32-6-251, 32-6-271, 32-6-280, 32-6-300, 32-6-301, 32-6-630,

1 and 40-12-244, Code of Alabama 1975, are amended to read as follows:

2 "§32-6-64.

3 "(a) (1) The design of license plates, including all
4 emblems, slogans, symbols, or characters appearing on the
5 plates, shall be by rule as promulgated by the Commissioner of
6 Revenue, and as otherwise specified by law. The face of the
7 license plate to be displayed shall be fully treated with a
8 reflective material which will increase the nighttime
9 visibility and legibility of the plate.

10 "(2) Characters on the license plate which designate
11 the county of issuance shall be numeric, and all numerals on
12 the license plates shall be no smaller than two and
13 three-fourths inches in height. The following numbering scheme
14 shall be used:

15 "a. Jefferson County, 1; Mobile County, 2;
16 Montgomery County, 3.

17 "b. All other counties shall be ranked
18 alphabetically and assigned consecutive numbers beginning with
19 4 and concluding with 67.

20 "c. The Department of Revenue shall be responsible
21 for the numbering of distinctive license plates and shall
22 establish a system to minimize duplication of license plate
23 numbers. License plates that shall be approved for manufacture
24 under subsection (b) shall be numbered or personalized.

1 "(b) The sponsoring organization of any new or
2 reissued distinctive license plate that is not of a college or
3 university or a military category shall assure a minimum
4 quantity of 250 registrations in order for the proposed plate
5 to qualify for production consideration by the legislative
6 oversight committee under the provisions of Section 32-6-67.

7 "(1) The procedure to assure the quantity minimum
8 for a distinctive license plate shall be as follows:

9 "a. The sponsoring organization shall apply to the
10 Department of Revenue for approval for the proposed
11 distinctive license plate from the legislative oversight
12 committee. ~~A sponsoring organization that desires to submit an~~
13 ~~application both for a passenger car and a motorcycle license~~
14 ~~plate category shall submit an application for each category.~~
15 At the time of application, the sponsoring organization shall
16 submit a design for the plate or logo for the quantity class
17 being applied for as described below:

18 "1. Quantity Class 1 (250 to 999 registrations). A
19 new distinctive license plate category, or an existing
20 distinctive license plate to be reissued, in which
21 registrations are estimated to be at least 250, but less than
22 1,000, shall be in conformity with the design approved by the
23 legislative oversight committee for license plates in this
24 quantity class. This plate shall include a space designated on
25 the left side of the license plate, not exceeding two and

1 one-half inches in width and height, in which an appropriate
2 emblem, slogan, or logo design may be applied to represent the
3 organization for whom the distinctive license plate is issued.
4 ~~The distinctive license plate may contain, either at the top~~
5 ~~or bottom of the license plate, opposite the state name, the~~
6 ~~name of the distinctive license plate category or group. Each~~
7 proposed emblem, slogan, symbol, or logo shall be subject to
8 the approval of the legislative oversight committee.

9 "2. Quantity Class 2 (1,000 or greater
10 registrations). This quantity class may use the logo system
11 described for Quantity Class 1, or may use a unique design for
12 the entire plate which is approved by the legislative
13 oversight committee and meets all other design and manufacture
14 requirements of Alabama law. ~~All requests for the creation of~~
15 ~~motorcycle license plate categories shall be submitted for~~
16 ~~Quantity Class 2 only. If a sponsoring organization is~~
17 ~~applying for both passenger car license plate and motorcycle~~
18 ~~license plate categories, commitments of 1,000 or more plates~~
19 ~~shall be obtained for each category before the category is~~
20 ~~created. Commitments to purchase for each license plate~~
21 ~~category shall not be combined in order to reach the required~~
22 ~~threshold. Passenger and motorcycle license plate categories~~
23 ~~shall be of the same design.~~

24 "b. After the legislative oversight committee
25 approval and notification to the Department of Revenue, the

1 department shall also coordinate with the Comptroller to
2 establish funding procedures for deposit and maintaining
3 monies held pending issuance of the new category of license
4 plates.

5 "c. Each person desiring to register a vehicle in
6 the new category shall make application and shall remit, as a
7 commitment to purchase, the additional fee associated with the
8 license plate category in a manner as prescribed by rule of
9 the Commissioner of Revenue. Any credit card processing fee
10 associated with the transaction shall be paid by the person
11 making the commitment to purchase the distinctive license
12 plate and shall be nonrefundable.

13 "d. The Department of Revenue shall deduct from the
14 additional fee and retain a two and one-half percent
15 commission. The balance shall be forwarded to the Comptroller
16 to be retained in escrow, until such time as the revenue
17 received is equal to or greater than the minimum amount
18 required to issue license plates in that category. If, after
19 one year from the date of notification of approval by the
20 legislative oversight committee, the number of subscribers for
21 a category fails to reach 250 for Quantity Class 1, or fails
22 to reach 1,000 for Quantity Class 2, the Comptroller shall pay
23 the money in escrow to the sponsoring organization and no
24 further consideration for production of this proposed
25 distinctive plate shall be made under this application. In

1 addition, the sponsoring organization may not submit another
2 application for a distinctive license plate for a period of
3 one year from the date the commitment to purchase period
4 ended.

5 "e. Upon determination by the Department of Revenue
6 that a sufficient number of applications for a plate category
7 has been received, the department shall initiate the ordering
8 processes for design and manufacture of the approved license
9 plate. At that time, the Comptroller shall pay out of the
10 escrow account the amounts referred to in Section 32-6-68.

11 "(2) Notwithstanding any other provisions to the
12 contrary, except where specifically provided by subsection
13 (b), no series of distinctive license plates shall be reissued
14 unless the following requirements are met:

15 "a. For Quantity Class 1 distinctive license plates,
16 there shall have been issued in the prior license year a
17 minimum of 250 license plates.

18 "b. For Quantity Class 2 distinctive license plates,
19 there shall have been issued in the prior license year a
20 minimum of 1,000 license plates.

21 "(3) The use of distinctive license plate categories
22 shall be limited to use on passenger cars, pick-up trucks, and
23 self-propelled campers or house cars. ~~, and motorcycles.~~
24 ~~Notwithstanding the foregoing, a sponsoring organization~~
25 ~~desiring to establish a license plate category for motorcycles~~

1 ~~may do so only if the requisite number of commitments to~~
2 ~~purchase for Quantity Class 2 is obtained for motorcycle~~
3 ~~license plates.~~

4 "(c) (1) The Department of Corrections is directed to
5 supply all license plates and revalidation devices required
6 under this subdivision. The amounts charged by the Department
7 of Corrections for the manufacture of revalidation devices
8 shall not be less than that charged for the manufacture of
9 license plates on a per item basis.

10 "(2) The Department of Corrections shall maintain an
11 accurate system of record-keeping which shall trace and
12 account for the handling and distribution of each plate and
13 revalidation device throughout the manufacturing process until
14 the items are distributed to each county.

15 "(d) After the five-year license plate has been in
16 use for a period of three years the Department of Corrections
17 ~~shall~~ may manufacture all subsequent license plates for the
18 remaining two years of the period from a metal of less
19 durability and quality than the metal used in manufacturing
20 the five-year license plates.

21 ~~"(e) The amendatory language in this section shall~~
22 ~~not become operative as to license plate applications until~~
23 ~~January 1, 2014, or as otherwise provided by rule of the~~
24 ~~department.~~

25 "§32-6-64.1.

1 "(a) Notwithstanding any other provision of this
2 title, the Department of Revenue may contract with a third
3 party to manufacture and distribute license plates and
4 validation decals.

5 "(b) The amount distributed prior to April 8, 2014,
6 to the Department of Corrections relating to license plates
7 and decals for each fiscal year shall not be reduced except by
8 the amount of the cost of material, production, and
9 distribution of license plates which would have been incurred
10 if the plates were produced by the Department of Corrections.
11 Any amounts distributed to the Department of Corrections
12 pursuant to this subsection are continuously appropriated to
13 the Department of Corrections for the operation of the
14 Department of Corrections.

15 "(c) The distribution of a license plate or
16 validation decal pursuant to this section shall not affect the
17 issuance fee of the judge of probate or other license plate
18 issuance official.

19 "(d) In addition to any other fees provided for by
20 law, an additional fee of five dollars (\$5) is added to the
21 cost of any distinctive license plate, whether prenumbered or
22 personalized, in the year the license plate is issued. The net
23 proceeds of the additional revenues derived from the fee
24 authorized by this section are appropriated and shall be
25 distributed to the Department of Revenue to offset the cost of

1 manufacturing and administering motor vehicle registration
2 credentials as required under Chapter 6 of Title 32 and
3 Chapter 12 of Title 40, Code of Alabama 1975. The
4 appropriation as provided in this section shall be in addition
5 to any other appropriation made by the Legislature.

6 "(e) The Department of Revenue may promulgate rules
7 necessary to administer this section.

8 "§32-6-250.

9 "(a) A distinctive permanent license plate shall be
10 issued to any resident of the state who is a recipient of the
11 Medal of Honor or the widow of a recipient of the Medal of
12 Honor, to any resident who is a recipient of the Purple Heart
13 Medal, to any resident who is a member of the Legion of Valor
14 with positive proof of membership and the award of the Medal
15 of Honor, the Purple Heart, the Army Distinguished Service
16 Cross, the Navy Cross, or the Air Force Cross, to any resident
17 who is a recipient of the Bronze Star as evidenced on the form
18 DD214, or to any resident who shows by satisfactory proof that
19 he or she was a duly recognized former prisoner of war, for
20 use on a private motor vehicle registered in the name of the
21 resident. There shall be no fee or tax for the license plate,
22 except Purple Heart Medal recipients shall pay ad valorem
23 taxes on vehicles for which the distinctive plates are issued,
24 Bronze Star recipients shall pay the regular registration fee
25 and ad valorem taxes and an annual additional fee of

1 twenty-five dollars (\$25), and no recipient shall receive a
2 plate for more than one vehicle except as provided in
3 subsection (c).

4 "(b) A former prisoner of war for purposes of this
5 section is a person who, as a member of the United States
6 Armed Forces, or while serving with a formal United States
7 ally force, or as a United States civilian, was held as a
8 prisoner of war during any armed conflict by forces hostile to
9 the United States.

10 "(c) A person eligible to be issued a distinctive
11 license plate under this section may be issued additional
12 distinctive license plates, under any of the above license
13 plate categories, if the person otherwise qualifies to receive
14 the distinctive license plate, upon payment of all license tax
15 and registration fees, including ad valorem taxes, for the
16 vehicles and an annual additional fee of twenty-five dollars
17 (\$25) for the Bronze Star distinctive license plate. Annual
18 renewal decals shall be provided after payment, if required,
19 of license fees and taxes for the years during which a new tag
20 or plate is not issued as provided in Section 32-6-63.

21 "§32-6-251.

22 "The special plates shall be of the same size as
23 regular motor vehicle license plates, distinguished by the
24 letters MOH, ~~or~~ LOV, Bronze Star, or PHM to be of a different
25 color scheme and design to any other vehicle ~~tag~~ plate in this

1 state, or POW to be of the same color scheme as other
2 distinguished military ~~tags~~ plates in this state, whichever
3 distinctive design applies, the nature of which shall be
4 prescribed by a committee to be appointed by the chief
5 legislative sponsors of this division. The net proceeds of the
6 additional revenues from the sales of the Bronze Star
7 distinctive military plate, less the administrative costs
8 including the costs of production incurred by the Department
9 of Revenue in producing the plates, shall be distributed by
10 each judge of probate or license commissioner to the state
11 Comptroller. The state Comptroller shall distribute the
12 proceeds into the Alabama Veterans' Assistance Fund in the
13 State Treasury.

14 "§32-6-271.

15 "(a) A firefighter may, upon application and subject
16 to the provisions of this division be issued a distinctive
17 motor vehicle license plate ~~or tag~~ as identification as a
18 firefighter. In addition to the proper numbers, words, and
19 insignias used on the standard license plate ~~or tag~~ issued for
20 motor vehicles, the distinctive plates ~~or tags~~ so issued
21 firefighters shall bear a red Maltese cross emblem on each
22 side to the left and right of the regular tag numbers. The
23 words "Fire Fighter" should be centered at the bottom of the
24 ~~tag~~ license plate.

1 "(b) In addition to any other fees provided for by
2 law, an annual additional fee of twenty-five cents (\$.25) is
3 added to the cost of the firefighter distinctive license plate
4 provided for in this division. The annual additional fee
5 collected pursuant to this section shall be distributed by
6 each licensing official to the state Comptroller. The state
7 Comptroller shall distribute the net proceeds monthly into a
8 fund managed by the Alabama Joint Fire Council and shall be
9 used for the purpose of expanding and maintaining the Alabama
10 Firefighter Memorial located in Tuscaloosa.

11 "§32-6-280.

12 "(a) As used in this section, ~~retired~~ the following
13 terms shall have the following meanings:

14 "(1) Professional firefighter means a paid member of
15 a paid or part-paid fire department of a city, town, county,
16 or other subdivision of the state, including the chief,
17 assistant chief, warden, engineer, captain, firemen, and all
18 other officers and employees of the department who actually
19 engage in fire fighting or rendering first aid at the scene of
20 an accident.

21 "(2) Retired professional firefighter means a
22 retired member of a paid or part-paid fire department of a
23 city, town, county, or other subdivision of the state,
24 including the chief, assistant chief, warden, engineer,
25 captain, firemen, and all other officers and employees of the

1 department who actually engaged in fire fighting or rendering
2 first aid at the scene of an accident. Notwithstanding any
3 other provision of this division, retired professional
4 firefighter includes a retired professional firefighter who is
5 a resident of this state and who has retired from a
6 professional fire department in another state and otherwise
7 meets the requirements of this section.

8 "(b) (1) Notwithstanding Sections 32-6-64, 32-6-67,
9 and 32-6-68, a retired professional firefighter, upon
10 application and subject to the provisions of this section, may
11 be issued a distinctive motor vehicle license plate ~~or tag~~ as
12 identification as a retired professional firefighter, and a
13 professional firefighter, upon application and subject to the
14 provisions of this section, may be issued a distinctive motor
15 vehicle license plate as identification as a professional
16 firefighter.

17 "(2) In addition to the proper numbers, words, and
18 insignias used on the standard license plate ~~or tag~~ issued for
19 motor vehicles, the distinctive plates ~~or tags~~ so issued for a
20 retired professional firefighter shall have a design created
21 by the state association of professional firefighters in
22 coordination with the Mobile Retired Firefighters and
23 Paramedics Association and the Tuscaloosa Retired Firefighters
24 Association, and the distinctive license plate so issued for a

1 professional firefighter shall have a design created by the
2 state association of professional firefighters.

3 "(c) (1) The distinctive license ~~plate~~ plates
4 provided herein shall be approved by the Commissioner of
5 Revenue and shall be issued through the judge of probate,
6 license commissioner, or other license issuing official of the
7 several counties of the state in the same manner as are other
8 motor vehicle license plates ~~or tags~~ and the officers shall be
9 entitled to their regular fees for the service.

10 "(2) By December 1 of each year, the Firefighters'
11 Personnel Standards and Education Commission shall submit to
12 the judge of probate, the license commissioner, or other
13 license issuing official of each county a list of eligible
14 retired professional firefighters retired from paid or
15 part-paid fire departments under this section. The
16 Firefighters' Personnel Standards and Education Commission
17 shall also add to the list any retired professional
18 firefighter retired from a paid or part-paid fire department
19 in another state who submits proof to the commission of
20 eligibility pursuant to this division. The Firefighters'
21 Personnel Standards and Education Commission shall also submit
22 to the judge of probate, the license commissioner, or other
23 license issuing official of each county a list of eligible
24 professional firefighters from paid or part-paid fire
25 departments.

1 "(3) Any person who joins a paid or part-paid fire
2 department after December 1 of any year or any person who is
3 omitted from the list prepared as described above may obtain a
4 distinctive license plate by presenting to the license issuing
5 official proof of his or her membership in a paid or part-paid
6 fire department by means of a certificate signed by the chief
7 of the department on a form prescribed by the Firefighters'
8 Personnel Standards and Education Commission.

9 ~~"(3)~~ (4) Upon the initial application for a retired
10 professional firefighter distinctive license plate under this
11 section, an applicant for a distinctive plate provided herein
12 shall present to the judge of probate, the license
13 commissioner, or other license issuing official of the county,
14 proof of his or her retirement from a fire department that is
15 included on the list provided by the Firefighters' Personnel
16 Standards and Education Commission. Proof of the person's
17 retirement from a fire department included on the list from
18 the Firefighters' Personnel Standards and Education Commission
19 is not required for renewal of the distinctive plate.

20 "(5) Upon the applicant submitting proof of his or
21 her identification, the professional firefighter shall be
22 issued the requested number of distinctive license plates upon
23 the payment of the regular fee for license plates, as provided
24 by law, but shall not be required to pay the three dollar (\$3)
25 fee.

1 "~~(4)~~ (6) Upon the applicant submitting proof of his
2 or her identification, the retired professional firefighter
3 shall be issued the requested number of distinctive license
4 plates ~~or tags~~ upon the payment of the regular license fee for
5 ~~tags~~ plates, as provided by law, but shall not be required to
6 pay the three dollar (\$3) fee.

7 "~~(5)~~ (7) The distinctive license plates or tags so
8 issued shall be used only upon and for personally owned,
9 private, passenger vehicles, to include station wagons and
10 pick-up trucks, registered in the name of the retired
11 professional firefighter or professional firefighter making
12 application therefor, and when so issued to the applicant
13 shall be used upon the vehicle for which issued in lieu of the
14 standard license plates or license tags normally issued for
15 the vehicle.

16 "(8) In addition to any other fees provided for by
17 law, an annual additional fee of twenty-five cents (\$.25) is
18 added to the cost of the retired professional firefighter and
19 the professional firefighter distinctive license plates
20 provided for in this division. The annual additional fee
21 collected pursuant to this section shall be deposited into a
22 fund managed by the Alabama Joint Fire Council and shall be
23 used for the purpose of expanding and maintaining the Alabama
24 Firefighter Memorial located in Tuscaloosa.

1 "~~(6)~~ (9) Anyone who is proven to have either falsely
2 obtained or certified an individual to obtain a distinctive
3 retired professional firefighter license plate or a
4 distinctive professional firefighter license plate shall be
5 guilty of a Class C misdemeanor, and upon conviction, shall be
6 punished according to law.

7 "(d) ~~Distinctive plates or tags~~ Retired professional
8 firefighters distinctive license plates as provided by this
9 section shall be prepared and furnished for the licensing year
10 commencing January 1, 2012, and thereafter as is provided by
11 law for the issuance of other license plates. Professional
12 firefighters distinctive license plates as provided by this
13 section shall be prepared and furnished for the licensing year
14 commencing January 1, 2016, and thereafter as is provided by
15 law for the issuance of other license plates.

16 "(e) The Department of Revenue may promulgate any
17 rules necessary to administer this section.

18 "§32-6-300.

19 "(a) Owners of all motor vehicles who are residents
20 of Alabama, upon application to the judge of probate or
21 commissioner of licenses, complying with the state motor
22 vehicle laws relating to registration and licensing of motor
23 vehicles and payment of the regular license fee for ~~tags or~~
24 plates as provided by law for the motor vehicle, and the
25 payment of an additional annual fee of ~~fifteen dollars (\$15)~~

1 twenty dollars (\$20), shall be issued license ~~tags~~ or plates
2 which shall bear the words "Helping Schools."

3 "(b) The ~~tags~~ plates shall be issued, printed, and
4 processed in the same manner as other personalized ~~tags~~ plates
5 are in this chapter. The ~~tags~~ plates shall be valid for five
6 years and shall be replaced at the end of the period with
7 either conventional ~~tags~~ plates or other personalized ~~tags~~
8 plates, or with new "Helping Schools" ~~tags~~ plates. Payment of
9 the required motor vehicle license fees and taxes for the
10 years during which a new vehicle license plate is not issued
11 shall be evidenced as provided for in Section 32-6-63. The
12 State Department of Revenue shall design, or have designed,
13 the "Helping Schools" ~~tags~~ plates in compliance with all laws
14 and regulations.

15 "§32-6-301.

16 "The net proceeds of the ~~fifteen dollars (\$15)~~
17 twenty dollars (\$20) additional revenues derived from sales of
18 "Helping Schools" ~~tags~~ plates as provided for in this
19 division, less administrative costs including the cost of
20 production incurred by the Department of Revenue in producing
21 the ~~tags~~ plates, shall be distributed by the judge of probate
22 or license commissioner to, as nearly as practicable, the
23 school district designated by the purchaser or if the
24 purchaser does not make a designation to the school district
25 in which the funds were generated to be used for the purchase

1 of classroom supplies and equipment in grades K through 12 of
2 the public schools of the school district.

3 "§32-6-630.

4 "(a) Notwithstanding Sections 32-6-64, 32-6-67, and
5 32-6-68, a distinctive license plate category shall be
6 established entitled "Alabama Gold Star Family." The
7 distinctive plates shall be issued, printed, and processed in
8 the same manner as other distinctive plates provided for in
9 this chapter.

10 "(b) Any member of the immediate family of a person
11 who died while on active duty of any branch of the United
12 States military may apply to the judge of probate or other
13 county license plate issuing official, ~~present documentation~~
14 ~~pursuant to subsection (c), pay the required motor vehicle~~
15 ~~license fees and taxes as provided by law for license plates~~
16 ~~for private passenger, pickup trucks, or pleasure motor~~
17 ~~vehicles, and pay an additional fee of three dollars (\$3) for~~
18 ~~the initial issuance of the plate and be issued the "Alabama~~
19 ~~Gold Star Family" distinctive license plate. Payment of~~
20 ~~required license fees and taxes for the years during which a~~
21 ~~new tag or plate is not issued shall be evidenced as provided~~
22 ~~for in Section 32-6-63. and upon presentation of documentation~~
23 ~~pursuant to subsection (d), may receive one distinctive~~
24 ~~license plate for display on a private passenger automobile or~~
25 ~~pickup truck, and shall be exempt from the payment of the~~

1 motor vehicle registration fee, ad valorem tax and any
 2 additional fees. Additional distinctive license plates may be
 3 purchased upon payment of regular required motor vehicle fees
 4 and taxes and an additional fee of three dollars (\$3) for the
 5 initial issuance of the distinctive license plate.

6 "(c) Payment of required license fees and ad valorem
 7 taxes for the years during which a new license plate is not
 8 issued shall be evidenced as provided for in Section 32-6-63.

9 ~~"(c)~~ (d) The following documents shall be presented
 10 to the judge of probate or other ~~county~~ license plate issuing
 11 official to receive the "Alabama Gold Star Family" distinctive
 12 license plate:

13 "(1) DD Form 2064 - Overseas Death Certificate or
 14 prior era Department of Defense death certificate; or

15 "(2) DD Form 1300 - Report of Casualty.

16 "(3) In the event that the applicant is not
 17 identified as the next of kin on one of the documents listed
 18 in ~~subsection (c)~~ subdivisions (1) and (2), the applicant must
 19 also submit a notarized affidavit obtained from the Alabama
 20 Gold Star Family Organization Department of Veterans' Affairs,
 21 certifying applicant's relationship to the deceased service
 22 member.

23 ~~"(d)~~ (e) The "Alabama Gold Star Family" distinctive
 24 license plate shall be designed by the ~~Alabama Gold Star~~

1 ~~Family Organization~~ Department of Veterans' Affairs and
2 approved by the Department of Revenue.

3 "~~(e)~~ (f) As used in this section, the phrase member
4 of the immediate family shall mean all of the following:

5 "(1) A spouse.

6 "(2) A parent, adoptive parent, or stepparent.

7 "(3) A foster parent in loco parentis.

8 "(4) A sibling, to include whole or half-blood, or
9 by adoption.

10 "(5) A child, including those by adoption, or a
11 stepchild.

12 "(6) Grandparent or other legal guardian.

13 "(7) Any other immediate family members designated
14 as next of kin by the Department of Defense.

15 "~~(f)~~ (g) The Department of Revenue may promulgate
16 any rules necessary to administer the provisions of this
17 section.

18 "§40-12-244.

19 "There shall be exempt from the operation of the
20 privilege or license tax and registration fee now or
21 hereinafter to be levied on automobiles and motor vehicles by
22 the State of Alabama one passenger vehicle owned by any of the
23 following:

24 "(1)a. An active member of the Alabama National
25 Guard or the Alabama State Guard, when organized in lieu of

1 the National Guard or for any service-connected disabled
2 veteran. The exemption for only one vehicle extends only to
3 distinctive National Guard or service-connected disabled
4 veterans' license ~~tags~~ plates and shall be claimed upon
5 presentation of proper identification on forms prescribed by
6 the Adjutant General. Active members of the National Guard may
7 obtain additional distinctive license ~~tags~~ plates for other
8 passenger vehicles which they own by paying the regular
9 privilege or license tax provided by law.

10 "b. A retired member of the Alabama National Guard
11 with 20 years or more service. The exemption for only one
12 vehicle extends only to distinctive National Guard license
13 ~~tags~~ plates and shall be claimed upon presentation of proper
14 identification on forms prescribed by the Adjutant General.
15 Retired members of the Alabama National Guard may obtain
16 additional distinctive license ~~tags~~ plates for passenger
17 vehicles which they own upon presentation and proper
18 identification on forms prescribed by the Adjutant General and
19 by paying the regular privilege or license tax and
20 registration fee as provided by law.

21 "(2) An officer, warrant officer, or enlisted person
22 serving as an active member of any United States armed forces
23 reserve organization or any service-connected disabled
24 veterans who were residents of Alabama at the time of entering
25 the service and who are still residents of Alabama at the time

1 the exemption is claimed. The exemption shall be claimed by
2 presentation of proper identification and proof of residence
3 requirements on forms prescribed by the state Department of
4 Revenue.

5 "(3) A member of a volunteer rescue squad.

6 "(4) The Civil Air Patrol; including those vehicles
7 owned by the national headquarters and those owned by the
8 Alabama wing of the Civil Air Patrol.

9 "(5) A volunteer firefighter who is a resident of
10 Alabama and who is entitled to the distinctive firefighter ~~tag~~
11 plate issued pursuant to Section 32-6-272. The exemption for
12 one vehicle extends only to the firefighter distinctive
13 license plate.

14 "(6) A recipient of the "Alabama Gold Star Family"
15 distinctive plate, with respect to the registration fee, ad
16 valorem tax, and any additional fees."

17 Section 2. Sections 32-8-30, 32-8-34, 32-8-35,
18 32-8-39, and 40-12-414, Code of Alabama 1975, are amended to
19 read as follows:

20 "§32-8-30.

21 "(a) Except as provided in Section 32-8-31, every
22 owner of a motor vehicle ~~designated a 1975 year model, and all~~
23 ~~models subsequent thereto~~ which is in this state and which is
24 required to be registered under the motor vehicle laws of this
25 state and for which no certificate of title has been issued by

1 the department, shall make application to a designated agent
2 as herein defined for a certificate of title to the vehicle.

3 ~~"(b) Except as provided in Section 32-8-31, every~~
4 ~~owner of a travel trailer designated a 1990 year model, and~~
5 ~~all models subsequent thereto which is in this state and which~~
6 ~~is required to be registered under the motor vehicle laws of~~
7 ~~this state and for which no certificate of title has been~~
8 ~~issued by the department, shall make application to a~~
9 ~~designated agent as herein defined for a certificate of title~~
10 ~~to the travel trailer. In the event that the owner's legal~~
11 ~~name, as recorded on the current certificate of title, has~~
12 ~~changed, the owner shall make application for a corrected~~
13 ~~certificate of title to record the current legal name of the~~
14 ~~owner. The application for certificate of title shall be made~~
15 ~~prior to the renewal of the registration for the motor~~
16 ~~vehicle.~~

17 "(c) Any dealer, acting for himself or another, who
18 sells, trades or otherwise transfers any vehicle required to
19 be titled under this chapter who does not comply with the
20 provisions of this chapter shall be guilty of a misdemeanor
21 and upon conviction shall be fined in a sum not exceeding
22 \$500.00.

23 "§32-8-34.

24 "(a) Each judge of probate, commissioner of
25 licenses, director of revenue, or other county official in

1 this state authorized and required by law to issue motor
2 vehicle license ~~tags~~ plates shall by virtue of his or her
3 office be a designated agent of the department. Judges of
4 probate, commissioners of licenses, directors of revenue, or
5 other ~~county~~ licensing officials may perform their duties
6 under this chapter either personally or through any of their
7 deputies.

8 "(b) Every dealer, as defined in this chapter or
9 Chapter 20 of this title, shall be a designated agent of the
10 department. The dealers may perform their duties under this
11 chapter either personally or through any of their officers or
12 employees; provided, that the dealer or persons shall enter
13 into a bond with a corporate surety authorized to do business
14 in this state as surety thereon, payable to the State of
15 Alabama in a sum ~~to be determined by the department, but in no~~
16 ~~event less than ten thousand dollars (\$10,000)~~ as provided in
17 Section 40-12-398, conditioned on the faithful performance of
18 their duties under this chapter.

19 "(c) The department may appoint other persons in
20 this state as its designated agents. An appointee shall enter
21 into a bond as provided in subsection (b). Full-time bonded
22 employees of the Department of Revenue may serve as designated
23 agents without additional bond. A qualified designated agent
24 of the department located outside of this state may continue

1 as a designated agent of the department as long as he or she
2 complies with the requirements of this chapter.

3 "§32-8-35.

4 "(a) The application for the first certificate of
5 title of a vehicle in this state shall be made by the owner to
6 a designated agent, on the form the department prescribes, and
7 shall contain all of the following:

8 "(1) The current legal name, current residence, and
9 current mailing address of the owner.

10 "(2) A description of the vehicle including the
11 following data: Year, make, model, vehicle identification
12 number, type of body, the number of cylinders, color, and
13 whether new or used.

14 "(3) The date of purchase by applicant, the name and
15 address of the person from whom the vehicle was acquired, and
16 the names and addresses of any lienholders in the order of
17 their priority and the dates of their security agreements.

18 "(4) Other information that the department may
19 require.

20 "(b) If the application is for a vehicle purchased
21 from a dealer, it shall contain the name and address of any
22 lienholder holding a security interest created or reserved at
23 the time of the sale and the date of the security agreement
24 and shall be signed by the designated agent as well as the

1 owner, and the designated agent shall forward the application
2 to the department in a manner prescribed by the department.

3 "(c) If the application is for a new vehicle, it
4 shall be accompanied by the certified manufacturer's statement
5 of origin showing proper assignments to the applicant. The
6 manufacturer upon the shipment of a motor vehicle into this
7 state shall forthwith furnish the dealer with a certified
8 statement of origin.

9 "(d) Each application shall contain or be
10 accompanied by the certificate of a designated agent that the
11 vehicle has been physically inspected by the agent, that the
12 vehicle identification number and descriptive data shown on
13 the application, pursuant to the requirements of subsection
14 (a) (2), are correct, and that the agent identified the person
15 signing the application and witnessed the signature.

16 "(e) If the application is for a first certificate
17 of title on a vehicle other than a new vehicle, then the
18 application shall conform with the requirements of this
19 section; except, that in lieu of the manufacturer's statement
20 of origin, the application shall be accompanied by a copy of
21 the ~~notarized~~ bill of sale of the motor vehicle whereby the
22 applicant claims title or in lieu thereof certified copies of
23 the last two years' license ~~tags~~ plates and tax receipts and
24 any other information the department may reasonably require to
25 identify the vehicle and to enable the department to determine

1 the ownership of the vehicle and the existence or nonexistence
2 of security interests in it.

3 "(f) If the application refers to a vehicle last
4 previously registered in another state or country, the
5 application shall contain or be accompanied by the following:

6 "(1) Any certificate of title issued by the other
7 state or country.

8 "(2) Any other information and documents as the
9 department may reasonably require to establish the ownership
10 of the vehicle and the existence or nonexistence of security
11 interests in it.

12 "(3) The certificate of a designated agent that the
13 vehicle has been physically inspected by him or her, that the
14 vehicle identification number and descriptive data shown on
15 the application pursuant to subsection (a)(2) are correct, and
16 any other proof of the identity of the vehicle as the
17 department may reasonably require.

18 "(g) Every designated agent, within 10 calendar days
19 after an application is received by him or her, shall forward
20 to the department, in a manner as prescribed by the
21 department, the fee as provided in Section 32-8-6, and the
22 application, along with any other evidence of title as may
23 have been delivered to the designated agent by the applicant.

24 "§32-8-39.

1 "(a) Each certificate of title issued by the
2 department shall contain:

3 "(1) The date issued;

4 "(2) The current legal name and current address of
5 the owner;

6 "(3) The names and addresses of any lienholders in
7 the order of priority as shown on the application, or if the
8 application is based on a certificate of title, as shown on
9 the certificate;

10 "(4) The title number;

11 "(5) A description of the vehicle including the
12 following data: year, make, model, vehicle identification
13 number, type of body, number of cylinders, whether new or used
14 and if a new vehicle the date of the first sale of the vehicle
15 for use; and

16 "(6) Any other data the department prescribes.

17 "(b) Unless security is furnished as provided in
18 Section 32-8-36, a distinctive certificate of title shall be
19 issued for a vehicle last previously registered in another
20 state or country, the laws of which do not require that
21 lienholders be named on a certificate of title to perfect
22 their security interests. The certificate shall contain the
23 legend, "This vehicle may be subject to an undisclosed lien"
24 and may contain any other information the department
25 prescribes. If no notice of a security interest in the vehicle

1 is received by the department within four months from the
2 issuance of the distinctive certificate of title, the
3 department shall, upon application and surrender of the
4 distinctive certificate, issue a certificate of title in
5 ordinary form.

6 "(c) The certificate of title shall contain forms
7 for assignment and warranty of title by the owner, and for
8 assignment and warranty of title by a dealer, and may contain
9 forms for applications for a certificate of title by a
10 transferee, the naming of a lienholder and the assignment or
11 release of the security interest by a lienholder.

12 "(d) A certificate of title issued by the department
13 is prima facie evidence of the facts appearing on it.

14 "(e) A certificate of title to a vehicle is not
15 subject to garnishment, attachment, execution or other
16 judicial process, but this subsection does not prevent a
17 lawful levy upon the vehicle.

18 "§40-12-414.

19 "Every (a) Except as provided in subsection (b),
20 every person, firm, or corporation, before being licensed
21 under this article, must show proof of responsibility by
22 depositing with the Commissioner of Revenue ~~cash in the amount~~
23 ~~of \$10,000 or~~ a continuing bond in the amount ~~of \$10,000~~
24 prescribed in Section 40-12-398 with surety thereon of a
25 company authorized to do business in the State of Alabama,

1 which bond shall be approved by the Commissioner of Revenue,
2 payable to the State of Alabama, and shall be conditioned upon
3 the faithful observance of all the provisions of this article
4 and shall also indemnify any person who suffers any loss by
5 reason of a failure to observe the provisions of this article.

6 "(b) The department, by rule, may permit a surety
7 bond obtained pursuant to Section 40-12-398, to serve in lieu
8 of the surety bond prescribed in subsection (a)."

9 Section 3. (a) Notwithstanding Sections 32-6-64,
10 32-6-67, and 32-6-68 of the Code of Alabama 1975, upon
11 application to the judge of probate or license commissioner,
12 compliance with motor vehicle registration and licensing laws,
13 payment of regular fees required by law for license plates for
14 private passenger or pleasure motor vehicles, and payment of
15 an additional annual fee of fifty dollars (\$50), owners of
16 motor vehicles who are residents of Alabama shall upon request
17 be issued a personalized "In Memory" license plate honoring
18 deceased family members.

19 (b) These plates shall be valid for five years and
20 may then be replaced with a personalized license plate.

21 (c) Payment of required license fees and taxes for
22 the years during which a new plate is not issued shall be
23 evidenced as provided in Section 32-6-63 of the Code of
24 Alabama 1975.

1 (d) The plates shall be issued, printed, and
2 processed like other personalized plates provided for by law
3 and shall be furnished for the licensing year commencing
4 January 1, 2016.

5 (e) The State Revenue Department shall prescribe for
6 identification purposes any number or symbol necessary to the
7 language requested by a person for an "In Memory" license
8 plate issued.

9 (f) The additional revenues derived from the sales
10 of the distinctive motor vehicle license plates shall be
11 distributed monthly to the State General Fund.

12 Section 4. (a) Notwithstanding Sections 32-6-64,
13 32-6-67, and 32-6-68 of the Code of Alabama 1975, upon
14 application to the judge of probate, license commissioner, or
15 other issuing official, compliance with motor vehicle
16 registration and licensing laws, and payment of regular fees
17 required by law for license plates, owners of private
18 passenger or pleasure motor vehicles who are residents of
19 Alabama shall be issued distinctive "Alabama Bicentennial"
20 license plates.

21 (b) Payment of required license fees and taxes for
22 the years during which a new plate is not issued shall be
23 evidenced as provided in Section 32-6-63, Code of Alabama
24 1975.

1 (c) The "Alabama Bicentennial" license plate shall
2 be designed by the Department of Revenue, subject to approval
3 by the Legislative Oversight Committee created pursuant to
4 Section 32-6-67, Code of Alabama 1975.

5 (d) The plates shall be issued, printed, and
6 processed like other distinctive plates provided in Chapter 6,
7 Title 32, Code of Alabama 1975, furnished for the licensing
8 years commencing January 1, 2016, and ending December 31,
9 2020. The plates may not be renewed after December 31, 2020.

10 (e) The Department of Revenue may promulgate rules
11 necessary to administer this section.

12 Section 5. (a) Residents of Alabama who qualify to
13 obtain a distinctive license plate pursuant to Chapter 6,
14 Title 32, Code of Alabama 1975, may be issued a distinctive
15 motorcycle license plate in the license plate category for
16 which they qualify. The standard motorcycle registration fee
17 shall apply to all motorcycle license plates, provided where a
18 registration fee or ad valorem tax exemption or reduction is
19 available for private passenger automobile, pickup truck, and
20 pleasure motor vehicle license plates in a distinctive license
21 plate category, the same exemption or reduction will apply to
22 motorcycle license plates in the same distinctive license
23 plate category. Any annual additional fee that applies to the
24 license plate category for which a resident qualifies shall
25 also apply to the same category of motorcycle license plate.

1 (b) Payment of required license fees and taxes for
2 the years during which a new tag or plate is not issued shall
3 be evidenced as provided in Section 32-6-63, Code of Alabama
4 1975.

5 (c) The design for the distinctive motorcycle plates
6 shall be the same design as plates for private passenger
7 automobiles, pickup trucks, and pleasure motor vehicles in
8 each distinctive license plate category.

9 (d) The provisions of this section shall not apply
10 to Amateur Radio Operator plates provided for in Sections
11 32-6-70 and 32-6-90, Code of Alabama 1975.

12 (e) The Department of Revenue may promulgate rules
13 necessary to administer this section.

14 Section 6. (a) Any distinctive license plate issued
15 under Chapter 6, Title 32, Code of Alabama 1975, may be
16 personalized with the exception of the following:

17 (1) Firefighter, professional firefighter, or
18 retired professional firefighter plates.

19 (2) Rescue squad plates.

20 (3) Veterans plates, unless otherwise authorized by
21 law.

22 (4) Military plates, unless otherwise authorized by
23 law.

24 (5) Special access or disability access plates.

25 (6) Twenty day temporary tags.

1 (7) Alabama State Defense Force plates.

2 (8) Amateur Radio Operator plates issued pursuant to
3 Sections 32-6-70 and 32-6-90, Code of Alabama 1975.

4 (9) Alabama apportioned plates.

5 (b) Notwithstanding any other provision of law, an
6 additional annual fee of fifty dollars (\$50) shall be assessed
7 for any personalized or distinctive license plate issued under
8 Chapter 6, Title 32, Code of Alabama 1975, except for a
9 Helping Schools plate which shall be subject to the fee
10 required pursuant to Section 32-6-300, Code of Alabama 1975, a
11 Retired Educators plate, which shall be subject to the fee
12 required pursuant to Section 32-6-302, Code of Alabama 1975,
13 or any plate or tag category listed in subsection (a), unless
14 the license plate is personalized. Proceeds from the
15 additional revenues generated herein shall be distributed in
16 the same manner as provided for each distinctive license plate
17 category.

18 (c) The Department of Revenue may promulgate rules
19 necessary to administer this section.

20 Section 7. All laws or parts of laws which conflict
21 with this act are repealed.

22 Section 8. Section 2 of this act shall become
23 effective on October 1, 2015, and Sections 1 and 3 to 6,
24 inclusive shall become effective on January 1 2016.

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Speaker of the House of Representatives

President and Presiding Officer of the Senate

House of Representatives

I hereby certify that the within Act originated in
and was passed by the House 17-MAR-15, as amended.

Jeff Woodard
Clerk

Senate	<hr/>	03-JUN-15	Amended and Passed
House	<hr/>	03-JUN-15	Concurred in Senate Amendment