

1 HB288
2 182103-1
3 By Representative Wilcox
4 RFD: Public Safety and Homeland Security
5 First Read: 23-FEB-17

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8 SYNOPSIS: Existing law provides for the issuance of
9 identification stickers for vessels.

10 This bill would provide for the regulation
11 of processing identification stickers for vessels.

12 This bill would allow the owner of a vessel
13 to purchase a pair of one-year distinctive vessel
14 identification stickers, showing support for an
15 organization that has requested and has been
16 approved to be included in the distinctive vessel
17 program, and would provide for a distinctive
18 license plate.

19 This bill would provide for additional fees
20 for distinctive vessel identification stickers, and
21 for the distribution of the proceeds from those
22 fees.

23
24 A BILL
25 TO BE ENTITLED
26 AN ACT
27

1 Relating to the registration of vessels; to amend
2 Section 33-5-11 of the Code of Alabama 1975, as amended by Act
3 2016-421, 2016 Regular Session, relating to the numbering of
4 vessels; to provide for the regulation of processing
5 identification stickers for vessels; to allow the owner of a
6 vessel to purchase a pair of one-year distinctive vessel
7 identification stickers, showing support for an organization
8 that has requested and has been approved to be included in the
9 distinctive vessel program, and a distinctive license plate;
10 and to provide for additional fees for distinctive vessel
11 identification stickers, and the distribution of the proceeds
12 from those fees.

13 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

14 Section 1. Section 33-5-11 of the Code of Alabama
15 1975, as amended by Act 2016-421, 2016 Regular Session is
16 further amended to read as follows:

17 "§33-5-11.

18 "~~(a) Except as otherwise provided in subsection (b),~~
19 ~~the~~ The owner of each vessel requiring numbering by this state
20 shall file an application for a number with the probate
21 judges' offices, or license commissioner, in the county of
22 residence of the purchaser, or the county in which the vessel
23 is domiciled, or in the county where the vessel is purchased,
24 ~~or if purchased out of state, in the county of residence of~~
25 ~~the purchaser, or in the county where the vessel is domiciled~~
26 on forms approved by the Alabama State Law Enforcement Agency.
27 The application shall be filed by the owner of the vessel and

1 shall be accompanied by a fee in accordance with Section
2 33-5-17. Upon receipt of the application and its approval by
3 the authorized issuing ~~officer~~ official, the ~~officer~~ official
4 shall enter the same upon the records and issue to the
5 applicant a certificate of registration stating the number
6 awarded to the vessel, the name and address of the owner, and
7 a description of the vessel. The owner shall paint on or
8 attach to each side of the bow of the vessel the annual
9 identification number issued in such manner as may be
10 prescribed by rules of the Alabama State Law Enforcement
11 Agency, ~~or in lieu thereof, attach to each side of the bow of~~
12 ~~the vessel an identification number sticker valid for five~~
13 ~~years, issued as provided by rules of the agency, so that it~~
14 may be clearly visible and be of such size as required by the
15 Federal Boating Act of 1958 or any subsequent amendment
16 thereto. The number shall be maintained in legible condition.
17 The certificate of registration shall be pocket size and shall
18 be available at all times for inspection on the vessel for
19 which issued whenever the vessel is in operation. ~~Each pair of~~
20 ~~five-year identification number stickers shall be furnished by~~
21 ~~the agency for a cost of twenty dollars (\$20) plus an~~
22 ~~additional two dollar (\$2) issuance fee. The issuance fee~~
23 ~~shall be paid to and collected by the issuing officer in each~~
24 ~~county. The funds shall be used at the sole discretion of the~~
25 ~~issuing officer for equipment, maintenance, and any services~~
26 ~~necessary for the improvement of the office of the licensing~~
27 ~~official. Disbursement of the funds shall be audited by the~~

1 Department of Examiners of Public Accounts. The proceeds from
2 the issuance of the stickers, less the issuance fee and cost
3 of production and processing, shall be paid to the Department
4 of Conservation and Natural Resources earmarked for the state
5 parks.

6 " (b) In lieu of ~~the regular identification number~~
7 ~~stickers issued by the agency and subject to certain~~
8 ~~transition provisions as further provided in subsection (c),~~
9 ~~the owner of a vessel may request five-year painting the~~
10 ~~vessel identification number on or otherwise attaching the~~
11 ~~number to a vessel pursuant to subsection (a), the owner of a~~
12 ~~vessel may purchase a pair of one-year distinctive~~
13 ~~identification stickers showing support for any organization,~~
14 ~~college, or university approved for the issuance of~~
15 ~~distinctive motor vehicle license tags as provided pursuant to~~
16 ~~Section 32-6-64. or subsection (b) of Section 32-6-150,~~
17 ~~provided that the sponsoring organization, college, or~~
18 ~~university has requested that it be included in the~~
19 ~~distinctive vessel program and a distinctive license plate has~~
20 ~~been approved by both the Joint Legislative Oversight~~
21 ~~Committee on License Tags and the sponsoring organization.~~
22 ~~Notwithstanding the foregoing, distinctive vessel~~
23 ~~identification stickers shall not be available if a~~
24 ~~distinctive license plate may not be personalized pursuant to~~
25 ~~Section 32-6-69. If there is no sponsoring organization,~~
26 ~~college, or university associated with a distinctive~~
27 ~~automobile license plate for which corresponding distinctive~~

1 vessel identification stickers could otherwise be considered
2 by the Joint Legislative Oversight Committee on License Tags,
3 a taxpayer may obtain authorization for the distinctive vessel
4 identification stickers upon petition to and approval by the
5 Joint Legislative Oversight Committee on License Tags. In no
6 case shall distinctive vessel identification stickers be
7 issued to an applicant unless the applicant would qualify for
8 the corresponding distinctive license plate. The design and
9 use of the distinctive vessel identification stickers shall be
10 approved by the Joint Legislative Oversight Committee on
11 License Tags created pursuant to Section 32-6-67 and the
12 secretary of the agency. Applications for distinctive vessel
13 identification stickers shall be made on forms approved by the
14 Alabama State Law Enforcement Agency. An applicant shall
15 qualify for the corresponding distinctive license plate in
16 order to receive a distinctive vessel identification sticker.
17 The distinctive vessel identification stickers purchased shall
18 include the certificate of registration number issued to the
19 owner in accordance with subsection (a) and shall be affixed
20 to the vessel as prescribed by rules of the Alabama State Law
21 Enforcement Agency.

22 " (c) The additional cost of distinctive
23 identification stickers for a vessel shall be fifty dollars
24 ~~(\$50). Except as provided in subsection (c), twenty-five~~
25 ~~dollars (\$25) of the proceeds shall be distributed to the~~
26 ~~organization sponsoring the distinctive license tag and~~
27 ~~twenty-five dollars (\$25) less any additional cost of~~

1 ~~production and processing, shall be distributed to the~~
2 ~~Department of Conservation and Natural Resources earmarked for~~
3 ~~the operation of the state parks. plus an additional issuance~~
4 ~~fee of two dollars (\$2). The issuance fee shall be paid to and~~
5 ~~collected by the issuing official. The issuance fee shall be~~
6 ~~used at the sole discretion of the issuing official for~~
7 ~~equipment, maintenance, and any services necessary for the~~
8 ~~improvement of the office of the licensing official. The~~
9 ~~additional fifty dollars (\$50) in proceeds from the sale of~~
10 ~~the distinctive vessel identification stickers shall be~~
11 ~~transmitted by the licensing official to the Comptroller, who~~
12 ~~shall distribute the proceeds in the following manner:~~

13 "(1) Actual costs of the production and delivery of
14 stickers, not to exceed 14 percent of the proceeds, shall be
15 distributed to the Alabama Correctional Industries Division of
16 the Department of Corrections. The costs shall be established
17 by rule of the Department of Corrections.

18 "(2) Actual costs of the processing of applications
19 and payments for stickers, not to exceed six percent of the
20 proceeds, shall be distributed to the Alabama State Law
21 Enforcement Agency. The costs shall be established by rule of
22 the agency.

23 "(3) One-half of the remainder of the proceeds shall
24 be distributed to the sponsoring organization and one-half
25 shall be distributed to the Department of Conservation and
26 Natural Resources and earmarked for the operation of state
27 parks.

1 "~~(e)~~ (d) If the Joint Legislative Oversight Committee
2 on License Tags has approved a distinctive design for a motor
3 vehicle license tag that does not currently provide revenue to
4 a sponsoring organization, the fifty dollars (\$50) additional
5 cost of the distinctive vessel identification stickers shall
6 be transmitted by the licensing official to the Comptroller
7 who shall distribute all of the proceeds, less any additional
8 the cost of production and processing, shall be distributed as
9 prescribed in subsection (c) to the Department of Conservation
10 and Natural Resources ~~earmarked~~ for the operation of the state
11 parks.

12 "~~(d)~~ (e) Notwithstanding ~~subsection (b), the~~ The
13 first period for the issuance of ~~a~~ distinctive vessel
14 identification ~~sticker~~ stickers after approval by the joint
15 committee shall be for a period corresponding to the end of
16 the current period of registration for the corresponding
17 distinctive motor vehicle license plates ~~tags for the same~~
18 ~~sponsoring organization~~. The distinctive identification
19 stickers may then be renewed for ~~five years~~ one year on the
20 anniversary date for the renewal of ~~a~~ the corresponding
21 distinctive motor vehicle license tag for the same sponsoring
22 organization. All distinctive vessel identification stickers
23 shall be redesigned as corresponding motor vehicle license
24 plates are redesigned.

25 "(f) If a distinctive vessel identification sticker
26 is damaged to the extent that the vessel registration number
27 becomes illegible or if a distinctive vessel identification

1 sticker is lost, mutilated, or destroyed, the owner of the
2 vessel shall file with the county licensing official
3 documentation of such as prescribed by rules of the Alabama
4 State Law Enforcement Agency. Upon payment for a replacement
5 sticker in an amount prescribed by rules of the Alabama Law
6 Enforcement Agency not to exceed fifteen dollars (\$15) per
7 sticker and the surrender of the damaged or mutilated
8 distinctive vessel identification sticker, the licensing
9 official shall issue a replacement sticker. In addition to the
10 cost of a replacement sticker, the licensing official shall
11 charge an issuance fee of two dollars (\$2). The issuance fee
12 may be used for the same purposes prescribed in subsection
13 (c). The proceeds from the purchase of replacement distinctive
14 vessel identification stickers shall be distributed in the
15 same manner as proceeds are distributed in subsection (c).
16 Should a lost vessel identification sticker be recovered or
17 come into the possession of the vessel owner, he or she shall
18 immediately deliver and surrender the sticker to the local
19 licensing official.

20 "(g) On or before the twentieth day of each month,
21 the licensing official shall transmit all proceeds received
22 from the sale of distinctive vessel identification stickers
23 during the then preceding month to the Comptroller. Funds
24 collected and distributed pursuant to this section shall be
25 audited by the Department of Examiners of Public Accounts.

26 "(h) Distinctive vessel identification stickers
27 shall be transferable to a new owner of the vessel subject to

1 rules as may be established by the Alabama State Law
2 Enforcement Agency.

3 "(i) Notwithstanding any other provision of this
4 article to the contrary, the Alabama State Law Enforcement
5 Agency shall have the necessary power, authority, and
6 responsibility to promulgate rules to implement, administer,
7 and enforce this article."

8 Section 2. All laws or parts of laws which conflict
9 with this act are repealed.

10 Section 3. This act shall become effective January
11 1, 2018, following its passage and approval by the Governor,
12 or its otherwise becoming law.